

Alison K. Hurley, State Bar No. 234042  
ahurley@bremerwhyte.com  
Courtney M. Serrato, State Bar No. 311141  
cserrato@bremerwhyte.com  
BREMER WHYTE BROWN & O'MEARA LLP  
20320 S.W. Birch Street  
Second Floor  
Newport Beach, California 92660  
Telephone: (949) 221-1000  
Facsimile: (949) 221-1001

Attorneys for Defendants,  
FRANK FERRARA and CHARLIE FERRARA

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

CORY SPENCER, an individual; DIANA  
MILENA REED, an individual; and  
COASTAL PROTECTION RANGERS,  
INC., a California non-profit public  
benefit corporation,

Plaintiff,

vs.

LUNADA BAY BOYS; THE  
INDIVIDUAL MEMBERS OF THE  
LUNADA BAY BOYS, including but not  
limited to SANG LEE, BRANT  
BLAKEMAN, ALAN JOHNSTON AKA  
JALIAN JOHNSTON, MICHAEL RAE  
PAPAYANS, ANGELO FERRARA,  
FRANK FERRARA, CHARLIE  
FERRARA; CITY OF PALOS VERDES  
ESTATES; CHIEF OF POLICE JEFF  
KEPLEY, in his representative capacity;  
and DOES 1-10,

Defendants.

Case No. 2:16-cv-2129

Judge: Hon. S. James Otero  
Ctrm: 10C

Magistrate Judge:  
Hon. Rozella A. Oliver

**DECLARATION OF ALISON K.  
HURLEY IN SUPPORT OF  
FRANK FERRARA'S AND  
CHARLIE FERRARA'S  
OPPOSITION TO PLAINTIFFS'  
MOTION FOR EVIDENTIARY  
SANCTIONS**

Complaint Filed: March 29, 2016  
Trial Date: December 12, 2017

I, Alison K. Hurley, declare as follows:

1. I am an attorney at law duly licensed to practice before the United States District Court for the Central District of California and I am a Partner with the law firm of Bremer Whyte Brown & O'Meara LLP ("BWBO"), counsel of record for Defendants FRANK FERRARA and CHARLIE FERRARA (hereinafter the

1 “Ferraras”) in this action. Except for those facts stated upon information and belief, I  
2 have personal knowledge of the facts set forth in this declaration and, if called as a  
3 witness, could and would competently testify to such facts under oath.

4 2. This declaration is made in support of Charlie and Frank Ferrara’s  
5 Opposition to Plaintiffs’ Motion for Evidentiary Sanctions made by Plaintiffs, CORY  
6 SPENCER (“Spencer”), DIANA MILENA REED (“Reed”) and COASTAL  
7 PROTECTION RANGERS, INC. (“CPR”) (collectively, “Plaintiffs”).

8 3. A true and correct copy of the July 17, 2017 correspondence to Counsel  
9 Plaintiffs enclosing the production of documents Bates labeled, FERRARA00003 –  
10 FERRARA02157 is attached hereto as Exhibit 1 and incorporated herein by this  
11 reference. A redacted version of the document Bates labeled FERRARA00068  
12 (omitting all confidential “attorneys eyes only” content) is also attached.

13 4. The documents Bates labeled FERRARA04202 – FERRARA04320  
14 were produced by Bremer Whyte on September 1, 2017. Included in that production  
15 were the documents Bates labeled FERRARA04233-34. A redacted version of the  
16 documents Bates labeled FERRARA04233-34 (omitting all confidential “attorneys  
17 eyes only” content) is attached hereto as Exhibit 2 and incorporated herein by this  
18 reference.

19 5. True and correct copies of excerpts of the Transcript of the deposition of  
20 Frank Ferrara at pages 275:20-276:21 are attached hereto as Exhibit 3 and  
21 incorporated herein by this reference.

22 6. True and correct copies of excerpts of the Transcript of the deposition of  
23 Charlie Ferrara at pages 26:3-17, 46:15-47:3, 47:25-48:15, 137:3-139:12 and 164:13-  
24 166:4 are attached hereto as Exhibit 4 and incorporated herein by this reference.  
25 Charlie Ferrara was not asked whether or when he became aware of the news stories  
26 about Plaintiffs’ lawsuit at the time of his deposition.

1           7.     True and correct copies of excerpts of the Transcript of the deposition of  
2 Sang Lee at pages 294:20-295:25 are attached hereto as Exhibit 5 and incorporated  
3 herein by this reference.

4           8.     A true and correct copy of the Redaction Index produced by the Ferraras  
5 on September 2, 2017 with the documents Bates labeled FERRARA06746 –  
6 FERRARA07565 is attached hereto as Exhibit 6 and incorporated herein by this  
7 reference.

8           9.     The documents Bates labeled FERRARA02158 – FERRARA03057  
9 were produced on July 21, 2017.

10          10.    The documents Bates labeled FERRARA03383 – FERRARA04201  
11 were produced on July 26, 2017. A true and correct copy of the July 26, 2017  
12 correspondence sent to Counsel for Plaintiffs enclosing the production of documents  
13 Bates labeled, FERRARA03383 – FERRARA04201 is attached hereto as Exhibit 8  
14 and incorporated herein by this reference.

15          11.    The documents Bates labeled FERRARA03058 – FERRARA03383  
16 were produced on July 27, 2017. A true and correct copy of the July 27, 2017  
17 correspondence to Counsel for Plaintiffs enclosing the production of documents  
18 Bates labeled, FERRARA03383 – FERRARA04201 is attached hereto as Exhibit 9  
19 and incorporated herein by this reference.

20          12.    True and correct copies of excerpts of the Transcript of the deposition of  
21 Cory Spencer at pages 120:12-121:16 are attached hereto as Exhibit 10 and  
22 incorporated herein by this reference.

23          13.    The documents Bates labeled FERRARA04321 – FERRARA06746 and  
24 FERRARA06747 – FERRARA07565 were produced on September 2, 2017. A true  
25 and correct copy of the September 2, 2017 correspondence to Counsel Plaintiffs  
26 enclosing the production of documents Bates labeled, FERRARA04321 –  
27 FERRARA06746 and FERRARA06747 – FERRARA07565 is attached hereto as  
28 Exhibit 11 and incorporated herein by this reference.

1           14. The documents Bates labeled FERRARA07566 – FERRARA10249  
2 were produced on September 6, 2017. A true and correct copy of the September 6,  
3 2017 correspondence to Counsel Plaintiffs enclosing the production of documents  
4 Bates labeled, FERRARA07566 – FERRARA10249 is attached hereto as Exhibit 12  
5 and incorporated herein by this reference.

6           15. The documents Bates labeled FERRARA10250 – FERRARA10966  
7 were produced on September 21, 2017. A true and correct copy of the September 21,  
8 2017 correspondence to Counsel Plaintiffs enclosing the production of documents  
9 Bates labeled, FERRARA10250 – FERRARA10966 is attached hereto as Exhibit 13  
10 and incorporated herein by this reference.

11           16. Bremer Whyte engaged in meet and confer communications with  
12 counsel for Plaintiffs regarding Plaintiffs' request that the Ferraras produce  
13 unredacted versions of cellular phone data extraction reports containing attorney  
14 client privileged communications. True and correct copies of these communications  
15 that began September 18, 2016 and are attached hereto collectively as Exhibit 14 and  
16 incorporated herein by this reference..

17           17. A true and correct copy of multiple communications between my office  
18 and Sprint representative Amy Ware following up on the status of the production of  
19 Charlie Ferrara's cell phone billing records for the time period between December  
20 15, 2015 and February 24, 2016 are collectively attached hereto as Exhibit 15 and  
21 incorporated herein by this reference.

22           18. A redacted version of the document Bates labeled FERRARA04307  
23 (omitting all confidential "attorneys eyes only" content) is attached hereto as Exhibit  
24 16 and incorporated herein by this reference.

25           19. A true and correct copy of the communications between counsel for  
26 Charlie and Frank Ferrara and Plaintiffs regarding Plaintiffs' counsel's request that  
27 the Ferraras perform additional searches for the content of the fifteen text messages  
28



1 on back up and/or storage devices are attached hereto and incorporated as Exhibit 17  
2 and incorporated herein by this reference.

3 20. A true and correct copy of the documents Bates labeled  
4 FERRARA00001-2 and produced to Plaintiffs in July of 2017 are attached hereto as  
5 Exhibit 18 and incorporated herein by this reference.

6 21. True and correct copies of excerpts of the Transcript of the deposition of  
7 N.F. at pages 141:25 – 143:9 are attached hereto as Exhibit 19 and incorporated  
8 herein by this reference.

9 22. True and correct copies of excerpts of the Transcript of the deposition of  
10 Diana Reed at pages 108:22-109:5 and 119:25-120:3 are attached hereto as Exhibit  
11 20 and incorporated herein by this reference.

12 23. True and correct copies of excerpts of the Transcript of the deposition of  
13 Mark Slatten at pages 58:1-60:1-14 and 172:21-173:11 are attached hereto as Exhibit  
14 21 and incorporated herein by this reference.

15 24. A true and correct copy of the Redaction Index the Ferraras produced on  
16 September 21, 2017 with the documents Bates labeled FERRARA10250 –  
17 FERRARA10966 is attached hereto as Exhibit 22 and incorporated herein by this  
18 reference.

19 I declare under penalty of perjury under the laws of the United States of  
20 America that the foregoing is true and correct.

21 Executed this 5<sup>th</sup> day of October, 2017, at Newport Beach, California.

22   
23 ALISON K. HURLEY  
24  
25  
26  
27  
28

# **Exhibit 1**

**Alison Hurley**

---

**From:** Tiffany L. Bacon  
**Sent:** Monday, July 17, 2017 5:13 PM  
**To:** swolff@hansonbridgett.com; tshower@hansonbridgett.com; vic@ottenlawpc.com; jacob.song@kutakrock.com; amiller@thephillipsfirm.com; fields@marksfieldslaw.com; peter@havenlaw.com; dana.fox@lewisbrisbois.com; rcooper@buchalter.com; pcrossin@veatchfirm.com; dmcrowley@boothmitchel.com; Kurt A. Franklin; Richard P. Dieffenbach; Antoinette.Hewitt@KutakRock.com; Edward.Ward@lewisbrisbois.com  
**Cc:** Alison Hurley; Tiffany L. Bacon; Hailey Williams; Kimberly Macey  
**Subject:** RE: BWBO 1178.176 (Spencer v. Lunada Bay Boys) Notice of Production

Dear Counsel:

Please use the following file share link to access Defendants', Frank Ferrara and Charlie Ferrara, document production, labeled FERRARA00003 – FERRARA02157 – Highly Confidential Attorneys' Eyes Only.

<http://bwbo.syncedtool.com/shares/folder/84a292d1054ad2/>

If you have trouble accessing the link, please let me know.

Regards,

**Tiffany L. Bacon**  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, CA 92660  
e:tbacon@bremerwhyte.com  
t: 949.221.1000  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Hailey Williams  
**Sent:** Friday, July 07, 2017 5:39 PM  
**To:** swolff@hansonbridgett.com; tshower@hansonbridgett.com; vic@ottenlawpc.com; jacob.song@kutakrock.com; amiller@thephillipsfirm.com; fields@marksfieldslaw.com; peter@havenlaw.com; dana.fox@lewisbrisbois.com; rcooper@buchalter.com; pcrossin@veatchfirm.com; dmcrowley@boothmitchel.com  
**Cc:** Alison Hurley; Tiffany L. Bacon  
**Subject:** BWBO 1178.176 (Spencer v. Lunada Bay Boys) Notice of Production

Dear Counsel,

Please see Charlie Ferrara's Notice of Production attached hereto. Copies have been sent to your offices via U.S. Mail. Please contact our office with any questions.

Kindest Regards,

Hailey Williams  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, CA 92660  
e: [hwilliams@bremerwhyte.com](mailto:hwilliams@bremerwhyte.com)  
t: 949.221.1000  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)





HIGHLY CONFIDENTIAL- ATTORNEYS' EYES ONLY



FRANK FERRARA

Page: A-16 of 41

Bill Cycle Date: 03/21/16 - 04/20/16

Visit us online at: [www.att.com](http://www.att.com)



Data Detail - Continued

Time	To/From	Type/Unit	Rate Code
Text Messages			
Monday, 03/28			
08:59a Sent		Text Message	UNLMSG 0.00
08:59a Sent		Text Message	UNLMSG 0.00
08:59a Sent		Text Message	UNLMSG 0.00
08:59a Sent		MTM TEXT MESSAG	UNLMSG 0.00
08:59a Sent		MTM TEXT MESSAG	UNLMSG 0.00
08:59a Sent		Text Message	UNLMSG 0.00
08:59a Sent		Text Message	UNLMSG 0.00
09:00a Sent		Text Message	UNLMSG 0.00
09:00a Sent		Text Message	UNLMSG 0.00
09:00a Sent		Text Message	UNLMSG 0.00
09:01a Sent		Text Message	UNLMSG 0.00
09:01a Sent		Text Message	UNLMSG 0.00
09:01a Sent		MTM TEXT MESSAG	UNLMSG 0.00
09:01a Sent		MTM TEXT MESSAG	UNLMSG 0.00
09:02a Sent		Text Message	UNLMSG 0.00
09:02a Sent		Text Message	UNLMSG 0.00
09:02a Sent		Text Message	UNLMSG 0.00
09:02a Sent		Text Message	UNLMSG 0.00
09:02a Sent		MTM TEXT MESSAG	UNLMSG 0.00
09:02a Sent		MTM TEXT MESSAG	UNLMSG 0.00
09:04a Sent		Text Message	UNLMSG 0.00
09:04a Sent		Text Message	UNLMSG 0.00
09:04a Sent		Text Message	UNLMSG 0.00
09:04a Sent		Text Message	UNLMSG 0.00
12:04p Rcvd		Text Message	UNLMSG 0.00
Tuesday, 03/29			
07:35a Rcvd		Text Message	UNLMSG 0.00
Wednesday, 03/30			
08:32p Rcvd	8849	Text Message	UNLMSG 0.00
Thursday, 03/31			
07:42a Rcvd		Text Message	UNLMSG 0.00
09:17a Sent		Text Message	UNLMSG 0.00
02:25p Rcvd		Text Message	UNLMSG 0.00
02:26p Sent		Text Message	UNLMSG 0.00
04:32p Rcvd		Text Message	UNLMSG 0.00
06:40p Rcvd		Text Message	UNLMSG 0.00
06:41p Sent		Text Message	UNLMSG 0.00
08:57p Rcvd		Text Message	UNLMSG 0.00
09:36p Sent		Text Message	UNLMSG 0.00
Friday, 04/01			
10:18a Sent		Text Message	UNLMSG 0.00
10:20a Sent		Text Message	UNLMSG 0.00
10:20a Rcvd		Text Message	UNLMSG 0.00
10:20a Sent		Text Message	UNLMSG 0.00
10:20a Sent		Text Message	UNLMSG 0.00
10:22a Sent		Text Message	UNLMSG 0.00
10:22a Sent		Text Message	UNLMSG 0.00
10:22a Sent		Text Message	UNLMSG 0.00

Time	To/From	Type/Unit	Rate Code
Text Messages			
Friday, 04/01			
10:22a Sent		Text Message	UNLMSG 0.00
12:11p Rcvd		MTM TEXT MESSAG	UNLMSG 0.00
12:12p Rcvd		MTM TEXT MESSAG	UNLMSG 0.00
12:50p Sent		Text Message	UNLMSG 0.00
12:50p Sent		Text Message	UNLMSG 0.00
04:15p Rcvd		MTM TEXT MESSAG	UNLMSG 0.00
Saturday, 04/02			
08:49a Sent		Text Message	UNLMSG 0.00
08:49a Rcvd		Text Message	UNLMSG 0.00
08:53a Sent		Text Message	UNLMSG 0.00
08:53a Rcvd		Text Message	UNLMSG 0.00
09:00a Sent		Text Message	UNLMSG 0.00
09:03a Sent		Text Message	UNLMSG 0.00
Sunday, 04/03			
07:39a Rcvd		Text Message	UNLMSG 0.00
07:39a Rcvd		Text Message	UNLMSG 0.00
07:40a Rcvd		Text Message	UNLMSG 0.00
07:40a Sent		Text Message	UNLMSG 0.00
07:40a Sent		Text Message	UNLMSG 0.00
07:41a Sent		Text Message	UNLMSG 0.00
07:42a Sent		Text Message	UNLMSG 0.00
07:47a Sent		Text Message	UNLMSG 0.00
07:47a Sent		Text Message	UNLMSG 0.00
07:47a Sent		Text Message	UNLMSG 0.00
07:48a Sent		Text Message	UNLMSG 0.00
07:48a Sent		Text Message	UNLMSG 0.00
07:48a Sent		Text Message	UNLMSG 0.00
07:49a Sent		Text Message	UNLMSG 0.00
07:49a Sent		Text Message	UNLMSG 0.00
07:49a Sent		Text Message	UNLMSG 0.00
07:50a Sent		Text Message	UNLMSG 0.00
07:50a Sent		Text Message	UNLMSG 0.00
07:50a Sent		Text Message	UNLMSG 0.00
07:50a Sent		Text Message	UNLMSG 0.00
07:51a Sent		Text Message	UNLMSG 0.00
07:51a Sent		Text Message	UNLMSG 0.00
07:52a Sent		Text Message	UNLMSG 0.00
07:52a Sent		Text Message	UNLMSG 0.00
07:52a Sent		Text Message	UNLMSG 0.00
07:53a Sent		MTM TEXT MESSAG	UNLMSG 0.00
07:53a Sent		Text Message	UNLMSG 0.00
07:53a Sent		Text Message	UNLMSG 0.00
07:54a Sent		MTM TEXT MESSAG	UNLMSG 0.00
07:57a Sent		Text Message	UNLMSG 0.00
07:57a Sent		Text Message	UNLMSG 0.00
08:18a Rcvd		Text Message	UNLMSG 0.00
08:55a Rcvd		MTM TEXT MESSAG	UNLMSG 0.00

FERRARA00068

## **Exhibit 2**

8/31/2017 9:55 AM

Call Records for PTN 7276

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

20 of 107

CALLING NBR	CALLED NBR	DIALED DIGITS	M. R. #	START DATE	END DATE	DURATION (SEC)	Call Type	NEID
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	03/29/2016 08:59:42	03/29/2016 09:00:10	28	Voice	41
			Outgoing	03/29/2016 09:56:46	03/29/2016 09:57:15	29	Voice	41
			Outgoing	03/29/2016 09:57:25	03/29/2016 09:57:53	28	Voice	41
			Incoming	03/29/2016 10:04:38	03/29/2016 10:07:04	146	Voice	41
			Incoming	03/29/2016 10:53:58	03/29/2016 10:54:42	44	Voice	41
			Incoming	03/29/2016 11:00:16	03/29/2016 11:13:17	781	Voice	41
			Outgoing	03/29/2016 11:20:40		0	Text Detail	226
			Outgoing	03/29/2016 11:47:58	03/29/2016 11:48:37	39	Voice	120
			Outgoing	03/29/2016 11:48:41	03/29/2016 11:51:41	180	Voice	120
			Routed	03/29/2016 13:37:36	03/29/2016 13:37:39	3	Voice	41
			Incoming	03/29/2016 13:54:16	03/29/2016 13:55:51	95	Voice	41
			Outgoing	03/29/2016 14:57:51	03/29/2016 14:59:42	111	Voice	120
			Outgoing	03/29/2016 15:08:50	03/29/2016 15:13:47	297	Voice	120
			Outgoing	03/29/2016 15:23:11	03/29/2016 15:23:46	35	Voice	120
			Routed	03/29/2016 15:27:04	03/29/2016 15:44:37	1053	Voice	41
			Incoming	03/29/2016 15:27:07	03/29/2016 15:44:37	1050	Voice	120
			Incoming	03/29/2016 16:02:04		0	Text Detail	196
			Undetermined	03/29/2016 16:02:04		0	Text Detail	196
			Incoming	03/29/2016 17:00:12	03/29/2016 17:00:37	25	Voice	44
			Routed	03/29/2016 17:00:39	03/29/2016 17:05:49	310	Voice	44
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	03/29/2016 18:19:39	03/29/2016 18:19:54	15	Voice	44
			Incoming	03/29/2016 19:05:46		0	Text Detail	196
			Routed	03/29/2016 20:45:55	03/29/2016 20:46:25	30	Voice	41
			Incoming	03/29/2016 20:45:59	03/29/2016 20:46:26	27	Voice	44
			Outgoing	03/29/2016 21:34:46	03/29/2016 21:36:19	93	Voice	44
			Incoming	03/29/2016 21:35:22	03/29/2016 21:37:49	147	Voice	44
			Routed	03/29/2016 21:35:22	03/29/2016 21:37:50	148	Voice	41
			Incoming	03/29/2016 22:53:12		0	Text Detail	196
			Incoming	03/29/2016 22:53:26		0	Text Detail	196
			Outgoing	03/30/2016 06:39:10	03/30/2016 06:39:42	32	Voice	44
			Outgoing	03/30/2016 06:52:13	03/30/2016 06:53:20	67	Voice	44
			Outgoing	03/30/2016 07:18:50	03/30/2016 07:40:46	1316	Voice	41
			Outgoing	03/30/2016 07:29:57		0	Text Detail	227
			Outgoing	03/30/2016 08:03:24	03/30/2016 08:03:55	31	Voice	41
			Incoming	03/30/2016 08:07:39	03/30/2016 08:10:43	184	Voice	41
			Outgoing	03/30/2016 08:16:01	03/30/2016 08:16:38	37	Voice	41
			Outgoing	03/30/2016 08:21:25	03/30/2016 08:22:33	68	Voice	120
			Routed	03/30/2016 08:22:45	03/30/2016 08:34:48	723	Voice	41
			Incoming	03/30/2016 08:22:49	03/30/2016 08:34:47	718	Voice	120
[REDACTED]	(6245000) 000-0921	[REDACTED]	Routed	03/30/2016 08:45:30	03/30/2016 08:45:33	3	Voice	41
			Incoming	03/30/2016 09:18:02		0	Text Detail	196
			Outgoing	03/30/2016 11:04:48	03/30/2016 11:10:35	347	Voice	41
			Outgoing	03/30/2016 11:10:46	03/30/2016 11:23:20	754	Voice	41
			Incoming	03/30/2016 11:10:46	03/30/2016 11:21:05	619	Voice	41
			Outgoing	03/30/2016 11:21:07	03/30/2016 11:21:22	15	Voice	41
			Outgoing	03/30/2016 11:23:22	03/30/2016 11:59:31	2169	Voice	41
			Incoming	03/30/2016 11:23:22		672	Voice	41
			Outgoing	03/30/2016 11:23:22				
			Incoming	03/30/2016 11:23:22				

SPRINT CORPORATION

FERRARA04233

8/31/2017 9:55 AM

Call Records for PTN 7276

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

21 of 107

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID
2591	7276	7276	Incoming	03/30/2016 12:28:44	03/30/2016 12:29:09	25	Voice	44
2591	000-0921	7276	Routed	03/30/2016 12:29:09	03/30/2016 12:29:13	4	Voice	41
7276	1961	1961	Outgoing	03/30/2016 13:38:12	03/30/2016 13:41:32	200	Voice	44
7276		607C	Outgoing	03/30/2016 14:12:48	03/30/2016 14:12:50	2	Voice	44
2860	7276	7276	Incoming	03/30/2016 17:32:37	03/30/2016 17:33:02	25	Voice	44
2860	000-0921	7276	Routed	03/30/2016 17:33:05	03/30/2016 17:33:08	3	Voice	41
2591	7276	7276	Incoming	03/30/2016 19:34:00	03/30/2016 19:34:11	11	Voice	44
2591	0921	7276	Routed	03/30/2016 19:34:12	03/30/2016 19:34:22	10	Voice	41
		7276	Outgoing	03/31/2016 08:44:44	03/31/2016 08:45:28	44	Voice	44
			Outgoing	03/31/2016 11:26:58	03/31/2016 11:27:27	29	Voice	44
			Outgoing	03/31/2016 11:28:34	03/31/2016 11:28:59	25	Voice	44
			Routed	03/31/2016 11:41:12	03/31/2016 11:50:03	531	Voice	41
			Incoming	03/31/2016 11:41:18	03/31/2016 12:03:55	525	Voice	44
			Outgoing	03/31/2016 12:00:11	03/31/2016 12:03:20	224	Voice	44
			Outgoing	03/31/2016 12:04:06	03/31/2016 12:05:20	74	Voice	44
			Routed	03/31/2016 12:10:36	03/31/2016 12:10:40	4	Voice	41
			Routed	03/31/2016 12:10:46	03/31/2016 12:10:49	3	Voice	41
			Incoming	03/31/2016 12:13:16	03/31/2016 12:13:41	25	Voice	44
			Routed	03/31/2016 12:13:42	03/31/2016 12:13:47	5	Voice	41
			Outgoing	03/31/2016 12:18:43	03/31/2016 12:19:24	41	Voice	44
			Outgoing	03/31/2016 12:19:27	03/31/2016 12:19:38	11	Voice	44
			Outgoing	03/31/2016 12:20:38	03/31/2016 12:20:40	2	Voice	44
			Incoming	03/31/2016 12:25:57	03/31/2016 12:26:22	25	Voice	44
			Routed	03/31/2016 12:26:23	03/31/2016 12:26:33	10	Voice	41
			Incoming	03/31/2016 12:37:18	03/31/2016 12:47:52	634	Voice	44
			Routed	03/31/2016 12:37:18	03/31/2016 12:47:54	636	Voice	41
			Outgoing	03/31/2016 12:48:00	03/31/2016 12:54:59	419	Voice	44
			Outgoing	03/31/2016 13:39:49		0	Text Detail	227
			Outgoing	03/31/2016 13:40:48		0	Text Detail	226
			Incoming	03/31/2016 13:50:11		0	Text Detail	196
			Incoming	03/31/2016 14:24:32		0	Text Detail	196
			Incoming	03/31/2016 14:26:24		0	Text Detail	196
			Incoming	03/31/2016 14:26:34		0	Text Detail	196
			Outgoing	03/31/2016 14:37:14		0	Text Detail	229
			Incoming	03/31/2016 14:40:27		0	Text Detail	196
			Incoming	03/31/2016 14:57:44	03/31/2016 14:58:09	25	Voice	44
			Outgoing	03/31/2016 14:58:12		0	Text Detail	228
			Routed	03/31/2016 14:58:12	03/31/2016 14:58:19	7	Voice	41
			Incoming	03/31/2016 15:02:39		0	Text Detail	196
			Outgoing	03/31/2016 15:02:52		0	Text Detail	196
			Outgoing	03/31/2016 15:03:46		0	Text Detail	226
			Outgoing	03/31/2016 15:20:04	03/31/2016 15:20:50	46	Voice	44
			Outgoing	03/31/2016 15:21:23	03/31/2016 15:22:00	37	Voice	44
			Routed	03/31/2016 15:21:44	03/31/2016 15:21:46	2	Voice	41
			Routed	03/31/2016 15:22:12	03/31/2016 15:23:27	75	Voice	41
			Incoming	03/31/2016 15:22:14	03/31/2016 15:23:26	72	Voice	44

SPRINT CORPORATION

FERRARA04234

## **Exhibit 3**

Atkinson-Baker Court Reporters  
www.depo.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

- - -

CORY SPENCER, AN INDIVIDUAL;  
DIANA MILENA REED, AN  
INDIVIDUAL; AND COASTAL  
PROTECTION RANGERS, INC.,  
A CALIFORNIA NON-PROFIT PUBLIC  
BENEFIT CORPORATION,

Plaintiffs,

vs.

No.: 2:16-cv-02129-SJO  
(RAOx)

LUNADA BAY BOYS; THE INDIVIDUAL  
MEMBERS OF THE LUNADA BAY BOYS,  
INCLUDING BUT NOT LIMITED TO  
SANG LEE, BRANT BLAKEMAN, ALAN  
JOHNSTON AKA JALIAN JOHNSTON,  
MICHAEL RAE PAPAYANS, ANGELO  
FERRARA, FRANK FERRARA,  
CHARLIE FERRARA, ET AL.,

Defendants.

- - - - -

VIDEOTAPED DEPOSITION OF  
FRANK FERRARA  
IRVINE, CALIFORNIA  
JULY 10, 2017

Atkinson-Baker, Inc.  
Court Reporters  
www.depo.com  
(800) 288-3376

REPORTED BY: ANGELIQUE MELODY FERRIO, CSR NO. 6979  
FILE NO: AB06A34



Atkinson-Baker Court Reporters  
www.depo.com

1	BY MR. OTTEN:	17:03:58
2	Q. Okay.	17:03:59
3	A. I know they're family, maybe not. I see them	17:04:01
4	surfing the left. I think I've seen them surf the	17:04:04
5	Bay a couple of times, but he likes mostly surfing	17:04:09
6	the left.	17:04:12
7	Q. Okay. And do the other brothers that you	17:04:13
8	said surf?	17:04:16
9	A. They don't surf, but they're baseball	17:04:17
10	players.	17:04:19
11	Q. Give me a couple of minutes to look at my	17:04:28
12	notes. And I think that we're probably done --	17:04:31
13	actually, not.	17:04:38
14	Let me refresh your recollection. This	17:04:54
15	lawsuit was filed, I think, March 29, 2016.	17:04:57
16	Do you recall a telephone conversation that	17:05:04
17	you had with Sang Lee on that day?	17:05:06
18	A. I don't know if it was that day, but we had a	17:05:09
19	couple of phone conversations.	17:05:12
20	Q. Let's talk about the first one which I'm	17:05:14
21	going to represent to you from Sang's phone records	17:05:18
22	that there was a conversation with you and a lot of	17:05:23
23	people, actually, on March 30th, right around that	17:05:27
24	time frame.	17:05:31
25	Do you remember what you talked about?	17:05:32

Atkinson-Baker Court Reporters  
www.depo.com

1	A. I think that we just talked a little bit	17:05:33
2	about the case a little bit, but I don't remember	17:05:37
3	exactly what we said to each other.	17:05:40
4	Q. And have you ever spoken with Sang before	17:05:41
5	that --	17:05:49
6	A. Yes.	17:05:49
7	Q. -- by telephone?	17:05:50
8	A. Yeah. We've talked and texted. I tried to	17:05:51
9	help his mom out and buy a car for them.	17:05:54
10	Actually, from them, I was buying a car from	17:06:12
11	them.	17:06:16
12	Q. And do you recall having another conversation	17:06:16
13	with him in July, just on the phone?	17:06:18
14	A. I believe we did because he was asking me if	17:06:25
15	I had been served or not. And I said that I wasn't	17:06:29
16	served.	17:06:32
17	Q. Anything else that you guys?	17:06:33
18	A. No.	17:06:35
19	Q. Other than Sang Lee, what other Defendants	17:06:35
20	have you discussed the lawsuit with?	17:06:38
21	A. None.	17:06:40
22	Q. None?	17:06:43
23	A. None.	17:06:43
24	Q. Okay. So, do you know if Charlie spoke to	17:06:44
25	Sang?	17:06:50

## **Exhibit 4**

Atkinson-Baker Court Reporters  
www.depo.com

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA  
3 WESTERN DIVISION  
4 - - -  
5 CORY SPENCER, AN INDIVIDUAL; )  
6 DIANA MILENA REED, AN )  
7 INDIVIDUAL; AND COASTAL )  
8 PROTECTION RANGERS, INC., )  
9 A CALIFORNIA NON-PROFIT PUBLIC )  
10 BENEFIT CORPORATION, )  
11 Plaintiffs, )  
12 vs. ) No.: 2:16-cv-02129-SJO  
13 (RAOx)  
14 LUNADA BAY BOYS; THE INDIVIDUAL )  
15 MEMBERS OF THE LUNADA BAY BOYS, )  
16 INCLUDING BUT NOT LIMITED TO )  
17 SANG LEE, BRANT BLAKEMAN, ALAN )  
18 JOHNSTON AKA JALIAN JOHNSTON, )  
19 MICHAEL RAE PAPAYANS, ANGELO )  
20 FERRARA, FRANK FERRARA, )  
21 CHARLIE FERRARA, ET AL., )  
22 Defendants. )  
23 - - - - -  
24 VIDEOTAPED DEPOSITION OF  
25 CHARLES FERRARA  
IRVINE, CALIFORNIA  
JULY 7, 2017  
Atkinson-Baker, Inc.  
Court Reporters  
www.depo.com  
(800) 288-3376  
REPORTED BY: ANGELIQUE MELODY FERRIO, CSR NO. 6979  
FILE NO: AB06A33

Atkinson-Baker Court Reporters  
www.depo.com

1	in 2010 or no, 2008, I'm sorry. I broke my left arm,	09:53:34
2	another racing incident.	09:53:41
3	And then in 2012, I had a really bad one	09:53:42
4	where I was like had some brain sheering. And I hit	09:53:48
5	my head really hard.	09:53:53
6	And I had to be medevaced out of the track	09:53:55
7	where we were racing. And I was in the hospital for	09:53:58
8	30 days.	09:54:00
9	And then I had to do six months of physical	09:54:01
10	therapy cognitive physical. I had to do, you know,	09:54:04
11	and with that kind of set me back a little bit.	09:54:10
12	I couldn't -- the doctors told me, you're not	09:54:13
13	surfing again like, not to play baseball, not to	09:54:16
14	surf, not to ride a bike.	09:54:19
15	So, I started kind of rehabbing myself and	09:54:22
16	getting better with everything. And I started	09:54:26
17	surfing again, the winter of 2015 is when I started.	09:54:28
18	I started paddling first. That summer I was	09:54:36
19	paddling a lot. And then I kind of worked my way up	09:54:39
20	back to surfing.	09:54:42
21	Q. What does that mean paddling?	09:54:43
22	A. Just like going out with my surfboard going	09:54:45
23	on the beach and paddling for a couple of miles and	09:54:48
24	getting conditioned for it.	09:54:51
25	Q. Understood. So then you've been surfing	09:54:55

Atkinson-Baker Court Reporters  
www.depo.com

1	at Lunada Bay where you see people hanging out before	10:14:20
2	they go surfing at Lunada Bay?	10:14:23
3	A. No.	10:14:25
4	Q. Do you know if there are any plans to rebuild	10:14:26
5	a structure where guys who surf there can hang out?	10:14:28
6	A. No.	10:14:33
7	Q. Have you ever received a text message from	10:14:33
8	someone asking you to meet up at Lunada Bay to go	10:14:39
9	surfing?	10:14:42
10	A. No.	10:14:43
11	Q. Have you ever received a phone call from	10:14:43
12	anyone asking you to meet up at Lunada Bay to go	10:14:45
13	surfing?	10:14:49
14	A. Can you rephrase the question?	10:14:49
15	Q. Has anyone called you and said, hey, do you	10:14:51
16	want to meet up and go surfing at Lunada Bay?	10:14:53
17	A. I've had talks with my dad, if he goes by,	10:14:56
18	we've had those conversations like, hey, the surf	10:15:00
19	looks kind of fun. So, try if you can get out, let's	10:15:03
20	try to surf, you know, yeah, my father, yes.	10:15:07
21	Q. Anyone else?	10:15:10
22	A. No.	10:15:11
23	Q. What about E-Mails, any E-Mails with --	10:15:12
24	A. No.	10:15:14
25	Q. -- friends or family asking you to go	10:15:14



Atkinson-Baker Court Reporters  
www.depo.com

1	surfing?	10:15:16
2	A. No. So, like I'm computer illiterate. I can	10:15:17
3	barely open my E-Mail. It's terrible.	10:15:21
4	Q. Do you ever get text messages asking you to	10:15:25
5	hangout at Lunada Bay?	10:15:28
6	A. No.	10:15:30
7	Q. And these texts, I'm sorry, you said phone	10:15:31
8	calls with your dad about surfing at Lunada Bay, has	10:15:39
9	he called you, would you say, in the past three	10:15:41
10	years?	10:15:43
11	A. Well, before that I wasn't surfing because I	10:15:44
12	had my injuries, but I would say in the last year	10:15:48
13	since '15, '16, there has been a couple of times	10:15:53
14	where I was at work and he would say, try to go	10:15:56
15	straight after work.	10:15:59
16	It's worth it to come down. There's surf or	10:16:00
17	I would drive by and say, dad, there are some waves.	10:16:03
18	It looks like fun. That's basically it.	10:16:07
19	Q. How long is the drive from San Pedro to	10:16:10
20	Lunada Bay?	10:16:13
21	A. Oh, it's like a good, it can be, if there's	10:16:14
22	traffic on 25th Street, sometimes it can be like a	10:16:19
23	half hour, you know, 35 minutes, but it's usually	10:16:23
24	like 15 to 20 minutes.	10:16:29
25	Q. Do you communicate with Sang Lee by cell	10:16:31

Atkinson-Baker Court Reporters  
www.depo.com

1	phone?	10:16:43
2	A. No.	10:16:43
3	Q. Have you ever texted or called him?	10:16:44
4	A. Yes. I used to work with him like a few	10:16:47
5	years ago. We would do some -- he's a roofer. And	10:16:50
6	he had some work for me. So, I worked with him so.	10:16:55
7	Q. Do you recall approximately the dates that	10:16:59
8	you worked with him?	10:17:01
9	A. The years probably, let me think, um,	10:17:02
10	probably 2013 -- well, no, no, it's before that. So,	10:17:10
11	about 2008. And then 2014 a couple little side jobs.	10:17:23
12	That's pretty much it.	10:17:36
13	Q. It's just working with him kind of	10:17:37
14	sporadically?	10:17:40
15	A. Exactly.	10:17:41
16	Q. Other than talking about roofing jobs, it	10:17:42
17	sounds like were there any other times that you	10:17:44
18	communicated with Sang Lee?	10:17:47
19	A. No, no.	10:17:48
20	Q. And that was by text or phone?	10:17:49
21	A. Phone, I believe, phone.	10:17:52
22	Q. And have you communicated with any other	10:17:55
23	Defendant by phone in the past four years?	10:18:05
24	MS. HURLEY: Objection, lacks foundation,	10:18:07
25	calls for speculation, if you even know who the	10:18:09

Atkinson-Baker Court Reporters  
www.depo.com

1	it. The video is black because her phone was facing	12:09:25
2	up at the time.	12:09:29
3	And I'm going play just a short excerpt of	12:09:30
4	the conversation so you can hear what I'm	12:09:33
5	referencing. I won't play the whole conversation.	12:09:36
6	And it was previously produced in discovery as	12:09:38
7	P-L-T-F 002027.	12:09:44
8	Recorded after the February 13th incident.	12:09:53
9	I'm not sure what date it was recorded.	12:09:57
10	MR. DIEFFENBACH: For the record, I'll object	12:10:00
11	to that on foundation grounds and also as an unlawful	12:10:01
12	recording without having been made with the	12:10:05
13	permission of whoever is on that recording.	12:10:13
14	THE WITNESS: And this is the recording that	12:10:15
15	we told you guys that it was not me because I haven't	12:10:16
16	spoken with her. And you're going to now, this is	12:10:20
17	the first time that I get to hear it.	12:10:23
18	MS. WOLFF: Well, I'm going to play it for	12:10:25
19	you. I'm not sure which recording -- well, we can	12:10:27
20	talk about it after you listen to it.	12:10:28
21	MS. HURLEY: Well, it's the one where there	12:10:30
22	has been testimony that another person made the	12:10:31
23	statements that you previously attributed to my	12:10:34
24	client; correct?	12:10:36
25	MS. WOLFF: I believe so.	12:10:37

Atkinson-Baker Court Reporters  
www.depo.com

1	THE WITNESS: That's all that I'm trying to	12:10:37
2	get to.	12:10:39
3	MS. WOLFF: You guys can come around, but	12:10:42
4	it's just black so. I'll have it face you so.	12:10:44
5		12:10:53
6	(Discussion held off the record.)	12:10:53
7		12:10:53
8	By MS. WOLFF:	12:13:01
9	Q. Is that your voice in the recording?	12:13:01
10	A. You know that's full defamation, I mean,	12:13:02
11	because that's not me.	12:13:06
12	MS. HURLEY: Hold on. Just answer the	12:13:07
13	question.	12:13:08
14	It's not your voice; is that correct?	12:13:08
15	THE WITNESS: No.	12:13:09
16	BY MS. WOLFF:	12:13:10
17	Q. Can I ask the question?	12:13:11
18	A. Sorry.	12:13:12
19	Q. Is that your voice on the recording?	12:13:13
20	A. No.	12:13:15
21	Q. Does the voice sound familiar to you?	12:13:15
22	A. Yes.	12:13:17
23	Q. Do you know who it is?	12:13:17
24	A. Leo.	12:13:19
25	Q. Has he told you that it's him?	12:13:19

Atkinson-Baker Court Reporters  
www.depo.com

1	A. Yes.	12:13:21
2	Q. When did he tell you that it was him?	12:13:21
3	A. Like maybe like eight months ago when this	12:13:24
4	was all going down. When you guys printed in the	12:13:29
5	paper that I said that. And we told you that it	12:13:32
6	wasn't me. And you guys still did it anyway.	12:13:35
7	Q. And that's when he came to you and what did	12:13:38
8	he say?	12:13:40
9	A. No, I told him, you know, did you talk to	12:13:40
10	her, you know. He said, yeah, I talked yeah, yeah.	12:13:44
11	It was me. It was me. It was me. And so then he	12:13:47
12	talked and it was him.	12:13:51
13	Q. So, I want to walk you through a transcript	12:13:53
14	of the conversation.	12:13:56
15	MS. HURLEY: Well, I'm going to object to	12:13:58
16	this whole line of questioning as lacking foundation	12:13:58
17	because it's not him.	12:14:01
18	MS. WOLFF: Okay. That's fine.	12:14:02
19	MS. HURLEY: So, can we move on beyond this?	12:14:03
20	MS. WOLFF: No. I'm going to mark this as	12:14:05
21	Exhibit 267.	12:14:08
22	MS. HURLEY: Just answer that you don't know	12:14:09
23	to anything --	12:14:11
24	MS. WOLFF: Can you not coach him on	12:14:11
25	questions I haven't asked him about.	12:14:13

Atkinson-Baker Court Reporters  
www.depo.com

1	she's going to sit on the beach and take pictures of	12:43:45
2	me surfing.	12:43:50
3	Q. It's understandable.	12:43:50
4	Has anyone sent you videos of yourself	12:43:52
5	surfing?	12:43:56
6	A. No.	12:43:57
7	Q. Have you taken videos of anyone surfing at	12:43:57
8	Lunada Bay?	12:44:01
9	A. No.	12:44:01
10	Q. So, you don't share photographs or videos	12:44:01
11	with people that you surf with?	12:44:10
12	A. No.	12:44:11
13	Q. Can you tell me what efforts you've made to	12:44:12
14	locate prior cell phone bills from January of 2013 to	12:44:26
15	the present time?	12:44:31
16	A. Um, yeah. I just talked to my mom about the	12:44:31
17	AT&T thing. Sorry. What were the dates for that?	12:44:35
18	Q. January of 2013 to the present time.	12:44:39
19	A. Um, yeah, it's getting a hold of Sprint, and	12:44:42
20	before that, so, that was after my accident because	12:44:48
21	that was '12.	12:44:50
22	So, it would have been Sprint and then AT&T.	12:44:51
23	So, the Sprint one they're very hard to deal with	12:44:55
24	them still.	12:45:01
25	They ended up -- I think I'm almost done with	12:45:01



Atkinson-Baker Court Reporters  
www.depo.com

1 paying them off. I've got, AT&T bought the contract 12:45:05  
2 from Sprint. So, yeah, it was, it's a little hard 12:45:10  
3 dealing with Sprint a little bit. 12:45:15  
4 They're not that helpful and neither is AT&T. 12:45:17  
5 They don't really want to help me, even give me the 12:45:21  
6 files. And I haven't really tried that hard, 12:45:25  
7 honestly. 12:45:28  
8 Q. Have you personally reached out to -- 12:45:29  
9 A. Yes. I try tried to reach out to AT&T and 12:45:30  
10 Sprint just one time, but I didn't proceed. I think 12:45:34  
11 they were just send you like a booklet and you have 12:45:36  
12 to go through. I don't know exactly. 12:45:40  
13 My mom tried, yeah. I think that she tried, 12:45:42  
14 too, to get something from AT&T because it's on her 12:45:45  
15 account. And the Sprint thing I got nowhere with 12:45:49  
16 Sprint. 12:45:51  
17 Q. And you said that you think that they sent 12:45:51  
18 you a booklet; did you receive anything? 12:45:54  
19 A. Yeah, I'm sorry, I didn't receive anything. 12:45:56  
20 I just know from the Sprint because that was my 12:45:59  
21 account. 12:46:02  
22 It was just kind of getting, they talk to 12:46:02  
23 this person, talk to that person, giving me a run 12:46:05  
24 around. 12:46:09  
25 And AT&T my mom said it was under her name 12:46:09

## Alison Hurley

---

**From:** Kimberly Macey  
**Sent:** Thursday, September 21, 2017 5:29 PM  
**To:** swolff@hansonbridgett.com; kfranklin@hansonbridgett.com; tshower@hansonbridgett.com; vic@ottenlawpc.com; jacob.song@kutakrock.com; pat@patcareylaw.com; amiller@thephillipsfirm.com; fields@markfieldslaw.com; peter@havenlaw.com; Dana.Fox@lewisbrisbois.com  
**Cc:** Alison Hurley; Courtney M. Serrato  
**Subject:** BWBO 1178.176 (Spencer, et al. v. Lunada Bay Boys, et al.) Defendant Frank Ferrara's Redaction Index and Privilege Log and Confidential Notice of Production  
**Attachments:** Redaction Index and Privilege Log- Final.pdf

Dear Counsel,

Please see attached Defendant Frank Ferrara's Redaction Index and Privilege Log in regard to the above-referenced case. Additionally, please use the link below to access Frank Ferrara's confidential Notice of Production. Should you have any questions or concerns, please do not hesitate to contact our office.

<http://bwbo.syncedtool.com/shares/file/54a260b36f42e7/>

Kindest regards,

Kimberly Macey  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, CA 92660  
e: [kmacey@bremerwhyte.com](mailto:kmacey@bremerwhyte.com)  
t: 949.221.1000  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



Arizona | California | Colorado | Nevada | Washington  
Europe | South Africa

[bremerwhyte.com](http://bremerwhyte.com)

**SOLUTIONS**

## **Exhibit 14**

**Courtney M. Serrato**

---

**From:** Alison Hurley  
**Sent:** Wednesday, September 20, 2017 5:39 PM  
**To:** Samantha Wolff; Kurt A. Franklin; Lisa M. Pooley; Ann D. Ghiorso; Ambra S. Jackson  
**Cc:** Alison Hurley; Courtney M. Serrato; Jeremy Johnson; John Toohey  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al. - Meet & Confer re Outstanding Records  
**Attachments:** Redaction Index.pdf

Dear Samantha:

We are not agreeable to producing unredacted versions of the attorney-client privileged communications between Bremer Whyte and the Ferraras identified in the Ferraras' redaction index. As a preliminary matter, there is no question that the items the Ferraras identified as privileged attorney-client communications are text messages between the Ferraras and their defense attorneys in this action, Bremer Whyte. We are more than happy to make the contents of these texts available to Judge Oliver for an *in camera* review to confirm this is true.

We disagree that the initial responses to Plaintiffs' Requests for Production waived the attorney-client privilege with regard to the privileged information contained in the Ferraras' extraction reports. In the redaction index, served concurrently with the production of extraction reports and native data from the Ferraras' cellular phones, the Ferraras expressly claim the attorney-client privilege protects specifically identified communications therein. As you know, the extraction reports were not generated until mid-2017. As you also know, each report constitutes a single, large document – the entirety of the data extracted from the cell phone analyzed. Following meet and confer discussions, the Ferraras produced redacted extraction reports and then revised redacted extraction reports. The revised redacted extraction reports were produced to your office on September 2, 2017 along with the enclosed redaction index specifically identifying each section of the extraction report withheld from production based on the attorney-client privilege.

Notably, the Ferraras refrained from making boilerplate objections to Plaintiffs' initial production requests, a practice notably discouraged by the Courts. Instead, upon determining that information contained on the Ferraras' extraction reports contained privileged communications, the Ferraras identified and asserted narrow and appropriate objections of privilege in the accompanying log. We also confirm that the Ferraras asserted the same privileges applicable to the extraction reports to the corresponding portions of the native data from which the reports were generated. As you are no doubt aware, portions of the native data used to create the extraction report cannot be removed or redacted from it without permanently altering the original data file.

The omission of an objection of privilege to an initial discovery response is not a "per se" waiver of that objection. *Coalition for a Sustainable Delta v. Koch*, 2009 LEXIS 100728, at \*7-8, Case No. 1:08-CV-00397 OWW GSA (E.D. Cal. Oct. 15 2009). The *Koch* Court went on to note that "[n]either Rule 26(b)(5) nor Rule 34(b) mandate waiver upon a party's failure to object." The Ferraras did not fail to timely object to Plaintiffs' discovery responses. Rather, their objections of privilege were asserted immediately upon the Ferraras' discovery of the fact that portions of the extraction reports contained communications between the Ferraras and their counsel.

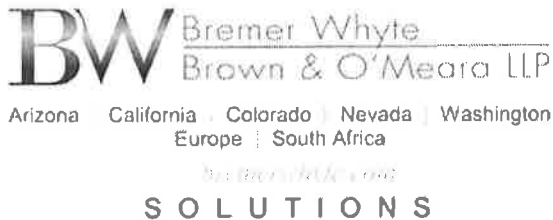
Finally, the text messages between the Ferraras and Bremer Whyte are not responsive to Plaintiffs' requests for production. The requests for production subject of Plaintiffs' pending motion for sanctions are No. 5 (text messages with surfers who regularly surf Lunada Bay), No. 7 (text messages or phone calls with a co-defendant) and No. 40 (cell phone bills since January 1, 2013). (Dkt. No. 425-1, at p. 3:17-22.) The attorney

client privileged texts included in the extraction reports and identified in the redaction index fall into none of these categories. Thus, irrespective of any waiver, the subject messages are non-responsive and irrelevant, and their production cannot be compelled on the applicable facts.

Based on the above, please confirm Plaintiffs' withdrawal of its request for production of the privileged communications set forth below.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
✉ [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
☎ 949.221.1000, Ext. 1234  
☎ 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



**From:** Samantha Wolff [<mailto:SWolff@hansonbridgett.com>]

**Sent:** Monday, September 18, 2017 12:06 PM

**To:** Courtney M. Serrato <[cserrato@bremerwhyte.com](mailto:cserrato@bremerwhyte.com)>; Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Lisa M. Pooley <[lpooley@hansonbridgett.com](mailto:lpooley@hansonbridgett.com)>

**Cc:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Ambra S. Jackson <[AJackson@hansonbridgett.com](mailto:AJackson@hansonbridgett.com)>

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al. - Meet & Confer re Outstanding Records

Dear Ms. Serrato,

Thank you for your email and for drafting the proposed joint status report. We have made some edits to the joint report in tracked changes format. Please see attached.

Additionally, I wanted to follow up on your office's September 2, 2017 production of revised redacted extraction reports and a "Redaction Index." It appears that several redactions were made on the basis of the attorney client privilege (see pages 2 & 3). No objections were made on the basis of any privilege in response to the initial document requests, and therefore any applicable privilege was waived. Please prepare a revised Redaction Index and remove all corresponding redactions from the production.

Thank you.

Sincerely,  
Samantha

**From:** Courtney M. Serrato [<mailto:cserrato@bremerwhyte.com>]

**Sent:** Sunday, September 17, 2017 6:09 PM

**To:** Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>; Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Lisa M. Pooley <[lpooley@hansonbridgett.com](mailto:lpooley@hansonbridgett.com)>

**Cc:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Ambra S. Jackson <[AJackson@hansonbridgett.com](mailto:AJackson@hansonbridgett.com)>; Courtney M. Serrato <[cserrato@bremerwhyte.com](mailto:cserrato@bremerwhyte.com)>

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al. - Meet & Confer re Outstanding Records

Dear Counsel:

As to your first comment regarding Charlie Ferrara, the dates referenced pertaining to text messages with Sang Lee and/or other defendants that were sent and received on or near June 30, 2016 and July 20, 2016 predate August 15, 2016. As indicated below, Charlie Ferrara's cell phone data prior to August 15, 2016 when he retained a new phone is unavailable, which would encompass these dates.

Per Charlie Ferrara's cell phone billing records from Sprint showing a final date of August 15, 2016 and the extraction report from Charlie's new phone starting with a date of August 15, 2016, Charlie obtained his new cell phone on August 15, 2016.

As requested, Sprint's retention policy provides Sprint does not maintain records in its regularly used databases beyond the Federal Communications Commission's mandated 18 month retention period, pursuant to 47 C.F.R. 42.6. Sprint does have access to customer records beyond the required 18 months in the form of "bill reprints," but these will not be as detailed as call detail records. In some instances, Sprint does maintain tape back-up of call detail records that fall outside the most recent 18 month retention period. There is no way of knowing if the records requested exist on tapes, until the search is conducted. A legal demand is needed for the production of call detail records from tape back-up and cannot be produced with notarized consent.

Based on the above, we have sent a legal demand for the production of the call detail records from tape back-up as mentioned below. Attached is a letter from Sprint detailing its retention policy. Please also find attached a proposed joint status report for your review and comment.

Thank you,

Courtney Serrato

**Courtney M. Serrato**

Bremer Whyte Brown & O'Meara, LLP

20320 S.W. Birch Street 2<sup>nd</sup> Floor

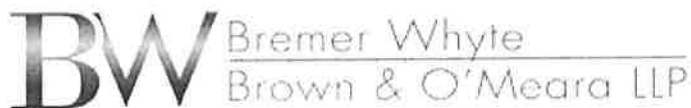
Newport Beach, CA 92660

☎ [cserrato@bremerwhyte.com](mailto:cserrato@bremerwhyte.com)

📞 949.221.1000

📞 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



Arizona California Colorado Nevada Washington  
Europe South Africa

*INTELLECTUAL PROPERTY*  
**SOLUTIONS**



**From:** Samantha Wolff [<mailto:SWolff@hansonbridgett.com>]  
**Sent:** Friday, September 15, 2017 4:44 PM  
**To:** Tiffany L. Bacon; Kurt A. Franklin; Lisa M. Pooley  
**Cc:** Alison Hurley; Courtney M. Serrato; Ann D. Ghiorso; Ambra S. Jackson  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al. - Meet & Confer re Outstanding Records

Dear Counsel,

Thank you for providing the update. I have several questions/comments in follow-up to your email. First, your list of "the only documents requested by Plaintiffs but not produced" is incomplete. In addition to the items listed below, Charlie Ferrara has also failed to produce text messages between himself, Sang Lee, and perhaps others that were sent or received on or about June 30, 2016 and July 20, 2016 (it is possible additional text occurred on different dates but we cannot know without complete records). Second, please advise as to the exact date Charlie Ferrara obtained his new cell phone. Finally, please provide a copy of Sprint's document retention policy.

Please provide a proposed joint status report for our review and comment at your earliest convenience. We should also include a placeholder for the status of Sang Lee's counsel's efforts to obtain his missing data.

Thank you,  
Samantha

**From:** Tiffany L. Bacon [<mailto:tbacon@bremerwhyte.com>]  
**Sent:** Friday, September 15, 2017 2:54 PM  
**To:** Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>; Lisa M. Pooley <[lpooley@hansonbridgett.com](mailto:lpooley@hansonbridgett.com)>  
**Cc:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Courtney M. Serrato <[cserrato@bremerwhyte.com](mailto:cserrato@bremerwhyte.com)>; Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>  
**Subject:** Spencer, et al. v. Lunada Bay Boys, et al. - Meet & Confer re Outstanding Records

Dear Counsel:

Per the Court's Minute Order at Dkt. No. 452, please allow this email to serve as our meet and confer efforts to provide a further update regarding the outstanding records for Charlie Ferrara and any outstanding records or data for either Charlie or Frank Ferrara that appear to be lost or unrecoverable:

**Charlie Ferrara's Cell Phone Records and Data**

With respect to Charlie Ferrara, the only documents requested by Plaintiffs but not produced are:

- Cell phone billing records from December 15, 2015 through January 11, 2016;
- Records of text messages sent or received by Charlie Ferrara from December 15, 2015 to February 24, 2016; and
- Data stored on the mobile phone used by Charlie prior to August 15, 2016.

We have requested the billing records and text detail from December 15, 2015 through February 24, 2016 from Charlie's then cellular service provider, Sprint. We are awaiting a response regarding production of the same. Sprint's document retention policy confirms these records may still exist and a search is being performed for the tape back-up for this period of time. Since September 1, 2017, we have contacted Sprint regarding the status of this search via written correspondence. Although, Sprint has informed us that it can provide no estimated time for completion of our request and that the requests are proceeded in the order received. We have followed up with Sprint on the status of our request including on September 8, 2017, September 12, 2017 and September 13, 2017.

With respect to the production of data from Charlie Ferrara's cell phone prior to August 15, 2016, we confirm that Charlie does not have a cell phone available for extraction predating August 15, 2016 because he did not retain possession of the cell phone he was using prior to August 15, 2016. At that time, he transferred his cell service from Sprint to AT&T and

traded in his prior cell phone to AT&T. This occurred prior to Charlie Ferrara retaining counsel to defend him in this case. As a result, Charlie Ferrara's cell phone data prior to August 15, 2016 is unavailable.

#### **Frank Ferrara's Cell Phone Records and Data**

With respect to Frank Ferrara, the only documents requested by Plaintiffs but not produced are:

- The contents of three text discussions, consisting of nine text messages total, exchanged with Sang Lee which took place on March 31, 2016, April 18, 2016 and July 29, 2016.

According to Frank Ferrara's forensic analyst, these messages are no longer stored on Frank Ferrara's phone and are not recoverable. According to Frank Ferrara's forensic analyst, data removed from the phone would have been extracted in connection with his comprehensive extraction, so long as the data has not been overwritten. Data is not overwritten intentionally and not controlled by the mobile device user, but instead occurs arbitrarily in order to make space for new data on the mobile device. The extraction report indicates the nine text messages with Sang Lee were removed from Frank Ferrara's mobile device, but there is no way to determine when it was removed or whether or not Frank Ferrara intentionally removed any of the subject data. The forensic analyst also confirmed there is no way to determine when data that was not recovered from the mobile device was removed or overwritten. After extensive testing of Frank Ferrara's mobile device, Frank's forensic analyst is unable to recover the contents of the messages from the above dates.

We are prepared to include the foregoing information in a proposed joint status report. We can promptly send you a proposed joint status report for your review and comment unless you would like to further discuss the matters set forth herein. Please feel free to give us a call should you want to further discuss.

Thank you,

**Tiffany L. Bacon**

Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, CA 92660

[tlbacon@bremerwhyte.com](mailto:tlbacon@bremerwhyte.com)

949.221.1000

949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



Arizona | California | Colorado | Nevada | Washington  
Europe | South Africa

[bremerwhyte.com](http://bremerwhyte.com)

**SOLUTIONS**

1178.178  
AKH/CMS



RUSSELL C. PETERSEN  
SENIOR COUNSEL  
DIRECT DIAL (415) 995-5816  
DIRECT FAX (415) 995-3530  
E-MAIL russ.petersen@hansonbridgett.com

September 29, 2017

**VIA E-MAIL AND U.S. MAIL**

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street, 2nd Floor  
Newport Beach, CA 92660  
ahurley@bremerwhyte.com

Re: Spencer, et al. v. Lunada Bay Boys, et al.  
Our File No. 999985.369

Dear Ms. Hurley:

This letter responds to your email dated September 20, 2017, in which you assert that you "are not agreeable to producing unredacted versions of the attorney-client communications between Bremer Whyte and the Ferraras identified in the Ferraras' redaction index." You argue both that the Ferraras did not waive assertion of the attorney-client privilege, and that such communications are not responsive to the RFPs that are the subject of the motion for sanctions. Neither of your reasons for withholding evidence is appropriate.

There is no doubt that the Ferraras waived any claim to attorney client privilege. Plaintiffs served their First Set of Document Requests on Charlie and Michael Ferrara on November 16, 2016, and the Ferraras served responses on December 19, 2016. The responses did not make any claim to attorney-client privileged information. In fact, your clients never claimed the attorney client privilege until you served your Redaction Index on September 1, 2017, more than eight months after their initial response to the RFPs.

Moreover, your firm represented multiple times to Judge Oliver that the extraction reports contained no redactions on the basis of privilege. At the July 26, 2017 hearing, your co-counsel, Tiffany Bacon, represented to the Court that, "In terms of the redactions that have been made, redactions were made for the purpose of producing responsive information. **There has been no privileged information that has been redacted.** It's only information that is simply not responsive to the discovery requests." Transcript, July 26, 2017 Hearing, at 10:21-25 (emphasis added). In the same hearing Ms. Bacon confirmed this in response to questioning from the Court:

The Court: Okay. All right. So, going in the order that Ms. Wolff laid things out, so you're saying that there is no assertion of privilege. It's simply that what you redacted is not responsive. Is that correct, Ms. Bacon?

Ms. Bacon: Precisely. Yes, your honor.

Alison K. Hurley  
September 29, 2017  
Page 2

*Id.*, at 12:6-12. And on August 23, 2017 you confirmed, again, to Judge Oliver that no privileged information was redacted: "And just with regard to the compliance and how that occurred after July 17, once we had the extraction data from the cell phone it was not our intent -- and **we did not redact any privileged information**, we only redacted private and personal information..." Transcript, August 23, 2017 Hearing, at 27:24-28:6 (emphasis added).

The leading case on this issue is *Burlington Northern & Santa Fe Railway Co. v. United States*, 408 F.3d 1142 (9th Cir.2005). That case cited four factors to take into account to determine if the assertion of privilege is timely:

- 1) The degree to which the objection or assertion of privilege enables the litigant seeking discovery and the court to evaluate whether each of the withheld documents is privileged;
- 2) The timeliness of the objection and accompanying information about the withheld documents (where service within 30 days, as a default guideline, is sufficient);
- 3) The magnitude of the document production; and
- 4) Other particular circumstances of the litigation that make responding to discovery unusually easy or unusually hard.

*Id.*, at 1149. In evaluating these factors, the court is directed to apply them "in the context of a holistic reasonableness analysis" and not in a "mechanistic determination of whether the information is provided in a particular format." *Id.* The ultimate intent here is "to forestall needless waste of time and resources, as well as tactical manipulation of the rules and the discovery process." *Id.*

First, your "Redaction Index" fails completely to provide Plaintiffs any ability to evaluate your claim to privilege. Under Rule 26, "When a party withholds information otherwise discoverable by claiming that the information is privileged or subject to protection as trial-preparation material, the party must: (i) expressly make the claim; and (ii) describe the nature of the documents, communications, or tangible things not produced or disclosed—and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim." Fed. R. Civ. P. 26(b)(5)(A)(ii). "[T]he requisite detail for inclusion in a privilege log consists of [1] a description of responsive material withheld, [2] the identity and position of its author, [3] the date it was written, [4] the identity and position of all addressees and recipients, [5] the material's present location, [6] and specific reasons for its being withheld, including the privilege invoked and grounds thereof." *Securities and Exchange Commission v. Coldicutt*, 2017 WL 2485383, at \*1 (C.D. Cal. June 8, 2017). Your assertion of the privilege in the "Redaction Index" fails in the first step because it does not provide **any** of the required information.

Second, the timeliness of the objection was far past due. The Ferraras had an obligation to conduct an adequate search of their phones for responsive texts and data upon receipt of the RFPs. Further, they were required to timely produce all responsive documents. Instead, they denied the existence of responsive information and deleted it. Plaintiffs were then required to pursue the matter by engaging in a seven-months' long meet-and-confer process culminating in an order by the Court to produce the extraction reports and a subsequent order sanctioning





Alison K. Hurley  
September 29, 2017  
Page 3

counsel for failing to comply with the prior order to produce responsive information.. As the Southern District recently explained:

Plaintiff had a responsibility to follow the proper protocol when asserting a privilege with respect to a responsive document that was in his possession. Plaintiff did not follow this procedure at all and capitulated and finally provided information about the nature of the document only after defense counsel pursued the matter... This was not Defendants' responsibility; Plaintiff should have provided this information *ab initio*. But it seems that Plaintiff provided this information only when he was backed into a corner... This is troubling to the Court.

*Jones v. U.S. Border Patrol Agent Gerardo Hernandez*, 2017 WL 3525259, at \*5 (S.D. Cal. August 16, 2017). See also *Burlington Northern & Santa Fe Ry. Co. v. United States*, 408 F.3d 1142, 1149 (9th Cir. 2005) ("Here, the district court found a waiver where the log not only was not filed during the Rule 34 time limit, but was filed *five months* later. In the absence of mitigating considerations, this fact alone would immunize the district court's ruling from reversal under the standard just articulated.")

Your reliance on *Coalition for a Sustainable Delta v. Koch*, 2009 US Dist LEXIS 100728, 2009 WL 3378974 (E.D. Cal. Oct. 15, 2009) does not excuse your failure to claim the privilege for over eight months. In that case, written responses to the RFPs were due on January 21, 2009, and despite having to hire a contractor to recover emails, the Defendant was still able to produce a privilege log by May 28, 2009 – a mere four months later. The Defendant further produced a total of 83,000 pages from numerous employees. Discovery was far more complex in that litigation than extracting cell phone reports consisting of a few thousand pages from two individual defendants (a process that was not undertaken until over seven months after your clients' responses were served, and only after a court order to do so).

Finally, we disagree with your contention that the documents are not responsive to the RFPs. Your email seems to limit the scope of what must be produced to documents responsive to RFP Nos. 5, 7, and 40. Your reasoning is that:

The requests for production subject of [sic] Plaintiffs' pending motion for sanctions are No. 5 (text messages with surfers who regularly surf Lunada Bay), No. 7 (text messages or phone calls with a co-defendant) and No. 40 (cell phone bills since January 1, 2013). (Dkt. No. 425-1, at p. 3:17-22.) The attorney client privileged texts included in the extraction reports and identified in the redaction index fall into none of these categories.

There is no basis to limit Defendants' production to only those RFPs -- Defendants are required to produce documents responsive to *all* RFPs. Judge Oliver's Order requiring production by July 17th was not limited to any particular RFP:

With respect to the discovery dispute between Plaintiffs and Defendants Frank Ferrara and Charlie Ferrara, as stated on the record, Defendants are ordered to produce responsive documents

Alison K. Hurley  
September 29, 2017  
Page 4

from the cell phone imaging and responsive cell phone bills and records by 5 p.m. on Monday, July 17, 2017.

Dkt No. 267 (July 13, 2017), at p. 1. In any event, the Motion for Sanctions only lists those three RFPs as examples; it in no way limits the required production to only those three RFPs.

Given your position in your email, we are now concerned that you limited your production of the cell phone extraction to only those documents that are responsive to RFP Nos. 5, 7, and 40. Please let us know immediately if you have only produced documents responsive to RFP Nos. 5, 7, and 40 pursuant to Judge Oliver's Order, or if you have, as Judge Oliver required, produced documents responsive to any and all of the RFPs.

We hope to have this dispute crystallized prior to our hearing with Judge Oliver on October 12, 2017. We request a response to these points by the close of business on Friday, October 6.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Russell C. Petersen', written over the closing text.

Russell C. Petersen

RCP:lap

## **Exhibit 15**



## Alison Hurley

---

**From:** Alison Hurley  
**Sent:** Friday, September 01, 2017 2:19 PM  
**To:** 'Amy.2.Ware@sprint.com'  
**Cc:** Tiffany L. Bacon; Alison Hurley; Jeremy Johnson  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)  
**Attachments:** Cover Letter from Sprint About Call Records.pdf

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



## Alison Hurley

---

**From:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)  
**Attachments:** 2017-182030-4194376.rtf

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

### Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
amy.2.ware@sprint.com

#MoveForward



---

**From:** Alison Hurley [mailto:ahurley@bremerwhyte.com]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Cc:** Tiffany L. Bacon <tbacon@bremerwhyte.com>; Alison Hurley <ahurley@bremerwhyte.com>; Jeremy Johnson <jjohnson@bremerwhyte.com>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## Alison Hurley

---

**From:** Alison Hurley  
**Sent:** Friday, September 08, 2017 11:19 AM  
**To:** 'Ware, Amy [LEG]'  
**Cc:** Tiffany L. Bacon  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)  
**Attachments:** tsprint001.pdf

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [mailto:[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

---

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## Alison Hurley

---

**From:** Alison Hurley  
**Sent:** Tuesday, September 12, 2017 2:42 PM  
**To:** 'Ware, Amy [LEG]'  
**Cc:** Tiffany L. Bacon; Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Ms. Ware.

Could you please provide us an estimated time in which (1) we will know whether the requested data is recoverable, (2) we will know what, if anything, has been recovered, and (3) documents located will be provided to our office? We have been asked by the Court to provide this information as soon as possible and request your assistance in complying with this request.

If you need any additional information in order to proceed, please do not hesitate to contact me regarding the same. Your courtesy and cooperation with this matter is sincerely appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [mailto:[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)]  
**Sent:** Tuesday, September 12, 2017 4:08 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 08, 2017 1:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**  
Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

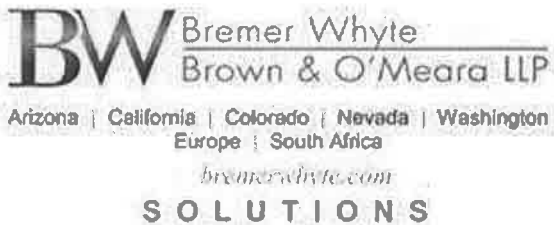
Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.



## Alison Hurley

---

**From:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Sent:** Tuesday, September 12, 2017 4:08 AM  
**To:** Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

### Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
amy.2.ware@sprint.com

---

#MoveForward



---

**From:** Alison Hurley [mailto:ahurley@bremerwhyte.com]  
**Sent:** Friday, September 08, 2017 1:19 PM  
**To:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Cc:** Tiffany L. Bacon <tbacon@bremerwhyte.com>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)

**BW** Bremer Whyte  
Brown & O'Meara LLP

Arizona | California | Colorado | Nevada | Washington  
Europe | South Africa

[bremerwhyte.com](http://bremerwhyte.com)

**SOLUTIONS**

**From:** Ware, Amy [LEG] [mailto:[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [mailto:[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## Alison Hurley

---

**From:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Sent:** Wednesday, September 13, 2017 5:48 AM  
**To:** Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Unfortunately there is no estimated time for completion. The requests are processed in the order received and, at this time, they are only able to process one request at a time. As soon as they have completed the search, they will send me notification via email with either the records or a no records found statement. Once I receive the response, I will immediately send you notification and/or records. An invoice will follow my response from our billing team.

Thank you for your understanding in this matter.

### Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
amy.2.ware@sprint.com

---

#MoveForward



---

**From:** Alison Hurley [mailto:ahurley@bremerwhyte.com]  
**Sent:** Tuesday, September 12, 2017 4:42 PM  
**To:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Cc:** Tiffany L. Bacon <tbacon@bremerwhyte.com>; Alison Hurley <ahurley@bremerwhyte.com>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Ms. Ware.

Could you please provide us an estimated time in which (1) we will know whether the requested data is recoverable, (2) we will know what, if anything, has been recovered, and (3) documents located will be provided to our office? We have been asked by the Court to provide this information as soon as possible and request your assistance in complying with this request.

If you need any additional information in order to proceed, please do not hesitate to contact me regarding the same. Your courtesy and cooperation with this matter is sincerely appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Tuesday, September 12, 2017 4:08 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

---

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 08, 2017 1:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234

f: 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.



## Alison Hurley

---

**From:** Alison Hurley  
**Sent:** Wednesday, September 13, 2017 10:15 AM  
**To:** 'Ware, Amy [LEG]'  
**Cc:** Tiffany L. Bacon; Courtney M. Serrato  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Amy, I appreciate the additional information.

Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [mailto:[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)]  
**Sent:** Wednesday, September 13, 2017 5:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Unfortunately there is no estimated time for completion. The requests are processed in the order received and, at this time, they are only able to process one request at a time. As soon as they have completed the search, they will send me notification via email with either the records or a no records found statement. Once I receive the response, I will immediately send you notification and/or records. An invoice will follow my response from our billing team.

Thank you for your understanding in this matter.

**Amy Ware**  
Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

---

#MoveForward



**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Tuesday, September 12, 2017 4:42 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Ms. Ware.

Could you please provide us an estimated time in which (1) we will know whether the requested data is recoverable, (2) we will know what, if anything, has been recovered, and (3) documents located will be provided to our office? We have been asked by the Court to provide this information as soon as possible and request your assistance in complying with this request.

If you need any additional information in order to proceed, please do not hesitate to contact me regarding the same. Your courtesy and cooperation with this matter is sincerely appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Tuesday, September 12, 2017 4:08 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

**Amy Ware**  
Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [mailto:ahurley@bremerwhyte.com]  
**Sent:** Friday, September 08, 2017 1:19 PM  
**To:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Cc:** Tiffany L. Bacon <tbacon@bremerwhyte.com>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [mailto:Amy.2.Ware@sprint.com]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <ahurley@bremerwhyte.com>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**  
Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

---

#MoveForward



**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]

**Sent:** Friday, September 01, 2017 4:19 PM

**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>

**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>

**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## Alison Hurley

---

**From:** Alison Hurley  
**Sent:** Thursday, September 21, 2017 10:15 AM  
**To:** 'Ware, Amy [LEG]'  
**Cc:** Courtney M. Serrato; Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

I wanted to write to check in with you on the status of our request for tape back-up of this account for the time period of December 15, 2015 to February 24, 2016. Do you have any updated information on whether the information exists, and if so, when we can expect to receive it? We have a follow up deadline with the Court early next week, so any information you can provide would be greatly appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [mailto:[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)]  
**Sent:** Wednesday, September 13, 2017 5:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Unfortunately there is no estimated time for completion. The requests are processed in the order received and, at this time, they are only able to process one request at a time. As soon as they have completed the search, they will send me notification via email with either the records or a no records found statement. Once I receive the response, I will immediately send you notification and/or records. An invoice will follow my response from our billing team.

Thank you for your understanding in this matter.

Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Tuesday, September 12, 2017 4:42 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Ms. Ware.

Could you please provide us an estimated time in which (1) we will know whether the requested data is recoverable, (2) we will know what, if anything, has been recovered, and (3) documents located will be provided to our office? We have been asked by the Court to provide this information as soon as possible and request your assistance in complying with this request.

If you need any additional information in order to proceed, please do not hesitate to contact me regarding the same. Your courtesy and cooperation with this matter is sincerely appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Tuesday, September 12, 2017 4:08 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 08, 2017 1:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161



[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]

**Sent:** Friday, September 01, 2017 4:19 PM

**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>

**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>

**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## Alison Hurley

---

**From:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Sent:** Monday, September 25, 2017 7:48 AM  
**To:** Alison Hurley  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

There is no estimated time of completion for the tape back-up requests. They are worked in the order received and the team is only able to process one request at a time. This process can take months to provide a response.

Thank you for your understanding in this matter.

### Amy Ware

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
amy.2.ware@sprint.com

---

#MoveForward



---

**From:** Alison Hurley [mailto:ahurley@bremerwhyte.com]  
**Sent:** Thursday, September 21, 2017 12:15 PM  
**To:** Ware, Amy [LEG] <Amy.2.Ware@sprint.com>  
**Cc:** Courtney M. Serrato <cserrato@bremerwhyte.com>; Alison Hurley <ahurley@bremerwhyte.com>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

I wanted to write to check in with you on the status of our request for tape back-up of this account for the time period of December 15, 2015 to February 24, 2016. Do you have any updated information on whether the information exists, and if so, when we can expect to receive it? We have a follow up deadline with the Court early next week, so any information you can provide would be greatly appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Wednesday, September 13, 2017 5:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Unfortunately there is no estimated time for completion. The requests are processed in the order received and, at this time, they are only able to process one request at a time. As soon as they have completed the search, they will send me notification via email with either the records or a no records found statement. Once I receive the response, I will immediately send you notification and/or records. An invoice will follow my response from our billing team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Tuesday, September 12, 2017 4:42 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Thank you Ms. Ware.

Could you please provide us an estimated time in which (1) we will know whether the requested data is recoverable, (2) we will know what, if anything, has been recovered, and (3) documents located will be provided to our office? We have been asked by the Court to provide this information as soon as possible and request your assistance in complying with this request.

If you need any additional information in order to proceed, please do not hesitate to contact me regarding the same. Your courtesy and cooperation with this matter is sincerely appreciated.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor

Newport Beach, California 92660

e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)

t: 949.221.1000, Ext. 1234

f: 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]

**Sent:** Tuesday, September 12, 2017 4:08 AM

**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>

**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Alison,

This has been forwarded to our Back-up team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist

O: 913-315-4487 / F: 816-600-3161

[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

---

**#MoveForward**



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]

**Sent:** Friday, September 08, 2017 1:19 PM

**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>

**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>

**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Please find enclosed the signed authorization.

Sincerely,

Alison K. Hurley

Bremer Whyte Brown & O'Meara, LLP

20320 S.W. Birch Street 2<sup>nd</sup> Floor

Newport Beach, California 92660

e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)

t: 949.221.1000, Ext. 1234

f: 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Ware, Amy [LEG] [<mailto:Amy.2.Ware@sprint.com>]  
**Sent:** Thursday, September 07, 2017 8:48 AM  
**To:** Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>  
**Subject:** RE: Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Ms. Hurley,

Please sign the attached fee authorization and return it. Once it's returned I will send your request to the appropriate team.

Thank you for your understanding in this matter.

**Amy Ware**

Subpoena Specialist  
O: 913-315-4487 / F: 816-600-3161  
[amy.2.ware@sprint.com](mailto:amy.2.ware@sprint.com)

#MoveForward



---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Friday, September 01, 2017 4:19 PM  
**To:** Ware, Amy [LEG] <[Amy.2.Ware@sprint.com](mailto:Amy.2.Ware@sprint.com)>  
**Cc:** Tiffany L. Bacon <[tbacon@bremerwhyte.com](mailto:tbacon@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Sprint Case No. 2017-182030 (BWBO File Lunada - 1178.176)

Dear Ms. Ware:

Thank you for your letter of August 28, 2017, a copy of which is attached. We would like to pursue records from tape back-up for the time period of December 15, 2015 through January 11, 2016 please. We are agreeable to the pricing terms set forth in your enclosed letter.

Please let me know if you need any additional information from me in order to proceed. Your assistance with this is sincerely appreciated.

Sincerely,

Alison K. Hurley & Tiffany L. Bacon  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)

t: 949.221.1000, Ext. 1234

f: 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

This e-mail may contain Sprint proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

## **Exhibit 16**



8/31/2017 9:55 AM

Call Records for PTN [REDACTED] 7276

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

94 of 107

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 14:13:00	07/17/2016 14:13:37	37	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/17/2016 14:19:54	07/17/2016 14:23:03	189	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/17/2016 14:22:53	07/17/2016 14:29:52	419	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 14:30:10	07/17/2016 14:30:24	14	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 14:30:54	07/17/2016 14:41:10	616	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/17/2016 14:48:57	07/17/2016 14:49:10	13	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/17/2016 14:49:48	07/17/2016 14:49:55	7	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 15:26:48	07/17/2016 15:26:58	10	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 15:26:58	07/17/2016 15:36:03	545	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 16:07:53		0	Text Detail	226
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 16:08:21		0	Text Detail	229
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 18:37:39	07/17/2016 18:37:49	10	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/17/2016 18:37:49	07/17/2016 18:41:51	242	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/17/2016 19:16:21	07/17/2016 19:24:49	508	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/17/2016 22:16:28	07/17/2016 22:16:30	2	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/18/2016 07:18:48	07/18/2016 07:19:21	33	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 07:20:36	07/18/2016 07:27:38	422	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/18/2016 09:37:43	07/18/2016 09:38:00	17	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 15:34:05	07/18/2016 15:34:30	25	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/18/2016 15:34:31	07/18/2016 15:35:13	42	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 15:49:06	07/18/2016 15:49:31	25	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/18/2016 16:18:20	07/18/2016 16:19:00	7	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/18/2016 16:18:22	07/18/2016 16:19:01	40	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 17:17:17	07/18/2016 17:17:41	39	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/18/2016 17:35:14		24	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 17:57:57	07/18/2016 18:01:13	0	Text Detail	196
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 18:35:51	07/18/2016 18:36:43	52	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/18/2016 21:31:10	07/18/2016 21:37:04	354	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/19/2016 06:33:21	07/19/2016 06:54:37	1276	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/19/2016 08:09:45	07/19/2016 07:26:04	231	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/19/2016 09:07:13		0	Text Detail	229
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 09:17:45		0	Text Detail	196
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/19/2016 09:18:31		0	Text Detail	227
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 09:21:06		0	Text Detail	196
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/19/2016 10:15:30	07/19/2016 10:19:34	244	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 10:50:12	07/19/2016 10:50:37	25	Voice	120
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/19/2016 10:50:38	07/19/2016 10:51:17	39	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 12:10:14		0	Text Detail	197
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 12:10:15		0	Text Detail	197
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 12:51:18		0	Text Detail	196
[REDACTED]	[REDACTED]	[REDACTED]	Incoming	07/19/2016 16:45:47	07/19/2016 16:51:08	321	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/20/2016 06:57:54	07/20/2016 07:17:03	1149	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Routed	07/20/2016 06:58:40	07/20/2016 06:58:42	2	Voice	41
[REDACTED]	[REDACTED]	[REDACTED]	Outgoing	07/20/2016 08:22:11		0	Text Detail	227

SPRINT CORPORATION

FERRARA04307

## **Exhibit 17**

**Kimberly Macey**

---

**From:** Alison Hurley  
**Sent:** Tuesday, September 26, 2017 6:26 PM  
**To:** Samantha Wolff; Kurt A. Franklin; Lisa M. Pooley; Ann D. Ghiorso; Ambra S. Jackson  
**Cc:** Courtney M. Serrato; Jeremy Johnson; Alison Hurley  
**Subject:** RE: Spencer v. Lunada - Meet and Confer Pursuant to Dkt. No. 461 (1178.176)

Dear Samantha:

Per the Court's Minute Order at Dkt. No. 461 and following up on our communication of yesterday afternoon, please allow this email to serve as our ongoing good faith effort to meet and confer on the subject matter of Plaintiffs' Motion for Sanctions.

**Frank Ferrara:**

We have confirmed with AT&T that Frank began using the most recently extracted phone on August 10, 2015. The Ferrara's forensic analyst completed his search of Frank Ferrara's iCloud storage and confirmed that the content of the nine text messages exchanged between Frank Ferrara and Sang Lee and their content were not saved to the cloud.

**Charlie Ferrara:**

As previously reported, Sprint will not provide an estimated time for completion of requests for tape back-up regarding the production of Charlie Ferrara's billing records and text details from December 15, 2015 through February 24, 2016. We followed up on the status of our request on September 21, 2017. A Sprint representative responded yesterday confirming that there is no estimated time of completion for the tape back-up requests and they are worked in the order received. We will continue to follow up and notify you when any information is received.

Charlie Ferrara's forensic analyst also conducted a search of iCloud storage under Charlie Ferrara's apple ID and confirmed that Charlie had no iCloud backups available to collect. As a result, no information was recovered with respect to the six text messages he exchanged with Sang Lee and their content were not saved to the cloud.

To the extent Plaintiffs believe any other topic or topics need to be covered in order to comply with the Court's September 19, 2017 Order to Meet and Confer, please identify those topics in writing at your earliest convenience.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)



**From:** Alison Hurley

**Sent:** Monday, September 25, 2017 12:17 PM

**To:** Samantha Wolff <SWolff@hansonbridgett.com>; Kurt A. Franklin <kfranklin@hansonbridgett.com>; Lisa M. Pooley <lpooley@hansonbridgett.com>; Ann D. Ghiorso <aghiorso@hansonbridgett.com>; Ambra S. Jackson <AJackson@hansonbridgett.com>

**Cc:** Courtney M. Serrato <cserrato@bremerwhyte.com>; Alison Hurley <ahurley@bremerwhyte.com>; Jeremy Johnson <jjohnson@bremerwhyte.com>

**Subject:** RE: Spencer v. Lunada - Meet and Confer Pursuant to Dkt. No. 461 (1178.176)

Dear Samantha:

The extraction report was produced to you on Thursday September 21 via an email containing a FTP link. A copy of this email is attached. The FTP site contains 722 pages, including the entire extraction report, and can still be accessed at the same location:

<http://bwbo.syncedtool.com/shares/file/54a260b36f42e7/>

The extraction report produced last Thursday identified the make, model and serial number of the cell phone. As set forth therein, the device is an iPhone 5c, Model MGF02 with a Serial No. FCDNT2UUG07J.

A copy of the native data from this phone was delivered to Hanson Bridgett this morning. The passcode to access it is the same as the other native data filed produced, 95178456.

Frank has informed us that he used the most recently extracted phone for approximately 15-20 months before exchanging it in for his current cell phone in November of 2016. The extraction report produced indicates the phone data on the most recently produced phone ends November 12, 2016, which we believe is the date the switch occurred.

We have requested that our forensic analyst conduct iCloud storage searches to see whether any responsive information was copied and stored there, and will inform you of the results of the same as soon as we have any further information. The iCloud is the only location where any information from either of the Ferraras' devices might have been stored other than on the devices themselves.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001

[www.bremerwhyte.com](http://www.bremerwhyte.com)



---

**From:** Samantha Wolff [<mailto:SWolff@hansonbridgett.com>]  
**Sent:** Friday, September 22, 2017 3:04 PM  
**To:** Alison Hurley; Kurt A. Franklin; Lisa M. Pooley; Ann D. Ghiorso; Ambra S. Jackson  
**Cc:** Courtney M. Serrato; Jeremy Johnson  
**Subject:** RE: Spencer v. Lunada - Meet and Confer Pursuant to Dkt. No. 461 (1178.176)

Alison,

Thank you for this update. Regarding Frank Ferrara's older cell phone, can you please let us know what type of phone it is (make/model/serial no.) and the dates during which time he used this device? Also, I do not believe we have received the extraction report yet – can you please let us know how it was sent to us so we can track it?

Finally, has your expert attempted to obtain the missing information for both Charlie and Frank from accessing Cloud storage/backup?

Thanks,  
Samantha

---

**From:** Alison Hurley [<mailto:ahurley@bremerwhyte.com>]  
**Sent:** Thursday, September 21, 2017 3:49 PM  
**To:** Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Lisa M. Pooley <[lpooley@hansonbridgett.com](mailto:lpooley@hansonbridgett.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Ambra S. Jackson <[AJackson@hansonbridgett.com](mailto:AJackson@hansonbridgett.com)>  
**Cc:** Courtney M. Serrato <[cserrato@bremerwhyte.com](mailto:cserrato@bremerwhyte.com)>; Alison Hurley <[ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)>; Jeremy Johnson <[jjohnson@bremerwhyte.com](mailto:jjohnson@bremerwhyte.com)>  
**Subject:** Spencer v. Lunada - Meet and Confer Pursuant to Dkt. No. 461 (1178.176)

Dear Counsel:

Per the Court's Minute Order at Dkt. No. 461 and following up on our communication of yesterday afternoon, please allow this email to serve as our ongoing good faith effort to meet and confer on the subject matter of Plaintiffs' Motion for Sanctions.

**Charlie Ferrara:**

As previously reported, we transmitted requests and follow ups to Sprint regarding the production of Charlie Ferrara's billing records and text details from December 15, 2015 through February 24, 2016. We followed up with the Sprint representative again on the status of these items this morning, but have not received any response as of the time of this email. Sprint's document retention policy confirms the requested records may exist, and we will provide you updates on the results of Sprint's search as soon as possible.



**Frank Ferrara:**

Frank Ferrara recently provided us with an older cell phone device that he used prior to obtaining his current cell phone. We immediately had our expert perform an extraction of the data from the old cell phone device and will be producing this today. The native data file is also being sent to your office directly by the vendor who performed the extraction. The contents of the nine text messages between Frank Ferrara and Sang Lee were not recovered from the older device.

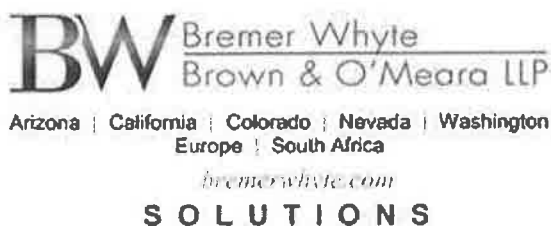
The extraction report for the older device will be produced as Frank Ferrara's document production FERRARA10250 – FERRARA10966 – Highly Confidential Attorneys' Eyes Only. A Redaction Index and Privilege Log will also be served concurrently, identifying redacted attorney-client privileged communication between Frank Ferrara and his defense attorneys in this action, Bremer Whyte. Much of the information on the older device is duplicative of the information on Frank's current device. The redacted attorney-client privileged communications in the extraction report being produced today include only duplicates of attorney-client privileged communications extracted from Frank Ferrara's current phone. To clarify, I have provided the below key matching the redacted texts in the two extraction reports:

- FERRARA10253 includes the same attorney-client privileged communication redacted in the previously produced document labeled FERRARA04325.
- FERRARA10303-FERRARA10332 includes the same attorney-client privileged communication redacted in the previously produced document labeled FERRARA04782- FERRARA04812.
- FERRARA10628 includes the same attorney-client privileged communication redacted in the previously produced document labeled FERRARA04798.
- FERRARA10629 includes the same attorney-client privileged communication redacted in the previously produced document labeled FERRARA04809.

To the extent Plaintiffs believe any other topic or topics need to be covered in order to comply with the Court's September 19, 2017 Order to Meet and Confer, please identify those topics in writing at your earliest convenience.

Thank you,  
Alison

Alison K. Hurley  
Bremer Whyte Brown & O'Meara, LLP  
20320 S.W. Birch Street 2<sup>nd</sup> Floor  
Newport Beach, California 92660  
e: [ahurley@bremerwhyte.com](mailto:ahurley@bremerwhyte.com)  
t: 949.221.1000, Ext. 1234  
f: 949.221.1001  
[www.bremerwhyte.com](http://www.bremerwhyte.com)







## **Exhibit 18**

1 Mark C. Fields (#100668)  
2 Law Offices of Mark C. Fields, APC  
3 333 So. Hope Street, 35<sup>th</sup> Floor  
4 Los Angeles, California 90071  
5 Tel: (213) 617-5225  
6 Fax: (213) 629-4520  
7 Email: [fields@markfieldslaw.com](mailto:fields@markfieldslaw.com)

8 Attorneys for Defendants  
9 Angelo Ferrara and N.F.

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
12

13 CORY SPENCER, an individual;  
14 DIANA MILENA REED, an  
15 individual; and COASTAL  
16 PROTECTION RANGERS, INC., a  
17 California non-profit public benefit  
18 corporation;

19 Plaintiffs.

20 v.

21 LUNADA BAY BOYS; THE  
22 INDIVIDUAL MEMBERS OF THE  
23 LUNADA BAY BOYS, including but  
24 not limited to SANG LEE, BRANT  
25 BLAKEMAN, ALAN JOHNSTON aka  
26 JALIAN JOHNSTON, MICHAEL  
27 RAE PAPAYANS, ANGELO  
28 FERRARA, FRANK FERRARA,  
CHARLIE FERRARA, and N.F.; CITY  
OF PALOS VERDES ESTATES;  
CHIEF OF POLICE JEFF KEPLÉY, in  
his representative capacity; and DOES 1  
– 10,

Defendants.

Case No. 2:16-cv-2129-SJO (RAOx)  
The Hon. S. James Otero, Ctrm. 10C

**DECLARATION OF LEO FRANK  
FERRARA**

Action Commenced: 3/29/2016  
Trial Date: 11/7/2017.

DECLARATION OF LEO FRANK FERRARA

FERRARA00001

2136294520

02:03:28 p.m. 04-14-2017

3/3

**DECLARATION OF LEO FRANK FERRARA**

I, Leo Frank Ferrara, declare:

1. The facts set forth in this declaration are personally known to me and I have first-hand knowledge of them. I am twenty-one years old, and not a party to this action. If called as a witness to testify, I could and would testify competently to the same.

2. I have listened to the audio recording of a conversation between Plaintiff Diana Milena Reed and a person who she has mistakenly identified as my cousin, Charlie Ferrara. I am the person whom Ms. Reed is speaking to during that conversation.

3. Ms. Reed made the audio recording of my conversation with her surreptitiously and without my consent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 16<sup>th</sup> of April, 2017, at Palos Verdes Estates, California.

  
LEO FRANK FERRARA

## **Exhibit 19**

Atkinson-Baker Court Reporters  
www.depo.com

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA  
3 WESTERN DIVISION

4 - - -

5 CORY SPENCER, AN INDIVIDUAL; )  
6 DIANA MILENA REED, AN )  
7 INDIVIDUAL; AND COASTAL )  
8 PROTECTION RANGERS, INC., )  
9 A CALIFORNIA NON-PROFIT PUBLIC )  
10 BENEFIT CORPORATION, )

11 Plaintiffs, )

12 vs. )

13 LUNADA BAY BOYS; THE INDIVIDUAL )  
14 MEMBERS OF THE LUNADA BAY BOYS, )  
15 INCLUDING BUT NOT LIMITED TO )  
16 SANG LEE, BRANT BLAKEMAN, ALAN )  
17 JOHNSTON AKA JALIAN JOHNSTON, )  
18 MICHAEL RAE PAPAYANS, ANGELO )  
19 FERRARA, FRANK FERRARA, )  
20 CHARLIE FERRARA, ET AL., )

21 Defendants. )

22 - - - - -

23 VIDEOTAPED DEPOSITION OF  
24 N.F.  
25 IRVINE, CALIFORNIA  
JULY 6, 2017

26 Atkinson-Baker, Inc.  
27 Court Reporters  
28 www.depo.com  
29 (800) 288-3376

30 REPORTED BY: ANGELIQUE MELODY FERRIO, CSR NO. 6979

31 FILE NO: AB06A32

Atkinson-Baker Court Reporters  
www.depo.com

1 George Leventis? 13:37:21  
2 A. No. He doesn't surf. 13:37:23  
3 Q. Have you ever gone surfing with Mathias 13:37:25  
4 Kelterborn? 13:37:29  
5 A. Yup. 13:37:29  
6 Q. He surfed at Lunada Bay? 13:37:29  
7 A. No. 13:37:31  
8 Q. Where does he surf? 13:37:31  
9 A. Torrance Beach. 13:37:33  
10 Q. Have you ever surfed with him there? 13:37:34  
11 A. Yes. 13:37:36  
12 Q. Anywhere else? 13:37:36  
13 A. That's about it. 13:37:37  
14 Q. And are you friends with George Leventis? 13:37:39  
15 A. No. 13:37:44  
16 Q. Have you ever been friends with him? 13:37:44  
17 A. Yeah. 13:37:46  
18 Q. What about Mathias Kelterborn, are you 13:37:46  
19 friends with him now? 13:37:51  
20 A. No. 13:37:53  
21 Q. Have you ever been friends with him? 13:37:53  
22 A. Yes. 13:37:54  
23 Q. Do you know if George or Mathias have ever 13:37:54  
24 surfed at Lunada Bay? 13:37:57  
25 A. They have not. 13:37:59

Page 138

1 Q. And they're both from Palos Verdes Estates? 13:38:00  
2 A. Yes. 13:38:03  
3 Q. Did they both attended Palos Verdes High 13:38:04  
4 School at some point? 13:38:07  
5 A. Yes. 13:38:08  
6 Q. Did either graduate? 13:38:09  
7 A. Both didn't graduate from Palos Verdes. Both 13:38:12  
8 graduated from camp. 13:38:16  
9 Q. And that's Macauliffe? 13:38:18  
10 A. Yeah. 13:38:20  
11 Q. Have you ever been asked by anyone to 13:38:21  
12 purchase something from Golden Lion and bring it to 13:38:24  
13 them down at the Bay? 13:38:27  
14 A. No. 13:38:39  
15 Q. In the past were you ever friends with people 13:38:39  
16 who you consider to be violent? 13:38:42  
17 A. No. 13:38:44  
18 Q. So, you don't consider George Leventis to be 13:38:45  
19 violent? 13:38:48  
20 A. Well, now I do, but back when I was friends 13:38:48  
21 with him, I didn't think he would ever be like that, 13:38:51  
22 but yeah. 13:38:54  
23 Q. So, looking back, though, in your past, have 13:38:54  
24 you been friends with people who you now consider to 13:38:57  
25 be violent? 13:38:59

Page 139

1 A. Yeah. 13:39:00  
2 Q. And is that George Leventis? 13:39:00  
3 A. Yes. 13:39:03  
4 Q. Anyone else? 13:39:03  
5 A. No, that's it. I don't consider him to be 13:39:04  
6 violent, but just a bad decision. 13:39:08  
7 Q. Okay. And do you currently hang out with 13:39:09  
8 anyone who you consider to be violent? 13:39:23  
9 A. No. 13:39:25  
10 Q. Do you know who John Wagner is? 13:39:25  
11 A. Yes. 13:39:27  
12 Q. When was the last time that you saw him? 13:39:28  
13 A. Gosh, John Wagner, probably five years ago. 13:39:31  
14 I haven't seen him in a long time. 13:39:35  
15 Q. How do you know him? 13:39:37  
16 A. From surfing the Bay and he makes surfboards, 13:39:39  
17 too. 13:39:42  
18 Q. So, you've surfed with him down at Lunada 13:39:42  
19 Bay? 13:39:46  
20 A. Yeah. 13:39:46  
21 Q. Would you see him frequently when you were 13:39:46  
22 out surfing? 13:39:49  
23 A. No. He wasn't out there all the time. I 13:39:50  
24 would see him every once in a while. 13:39:52  
25 Q. Have you ever heard of surfers down at. 13:39:57

Page 140

1 Lunada Bay ask younger guys to purchase food or. 13:40:04  
2 drinks or ice from one of the liquor stores to bring 13:40:08  
3 it down to the Bay? 13:40:11  
4 A. Yeah. 13:40:11  
5 Q. And who has done that? 13:40:12  
6 A. I can't really recall, but I've definitely 13:40:13  
7 heard that before. 13:40:16  
8 Q. Has anyone asked you to do that? 13:40:17  
9 A. No. 13:40:22  
10 Q. And have you ever seen anyone do that? 13:40:22  
11 A. Yeah. 13:40:24  
12 Q. Who have you seen do that? 13:40:25  
13 A. I don't recall. 13:40:27  
14 Q. You don't remember? 13:40:28  
15 A. No. It was a while ago. 13:40:29  
16 Q. You don't remember who? 13:40:31  
17 A. Who asked -- 13:40:32  
18 MR. FIELDS: You're talking over each other. 13:40:35  
19 Wait until she finishes asking and then answer. 13:40:37  
20 BY MS. WOLFF: 13:40:40  
21 Q. Sorry, my fault, too. 13:40:40  
22 So, you don't recall who did the asking or 13:40:43  
23 who was asked? 13:40:45  
24 A. Yes -- no. 13:40:46  
25 Q. Okay. So, one of the Plaintiffs in our case, 13:40:46

Page 141

36 (Pages 138 to 141)

N. F.  
July 6, 2017

Atkinson-Baker Court Reporters  
www.depo.com

<p>1 Diana Reed, had a conversation at Lunada Bay with one 13:40:52 2 of the guys who regularly surfs down there. 13:40:55 3 She says it was with Charlie Ferrera, but 13:40:57 4 we've heard that your brother has also taken credit 13:41:00 5 for it. So, I'm going to play you a short clip and 13:41:03 6 ask you some questions about it. 13:41:07 7 A. Okay. 13:41:09 8 MR. FIELDS: And I'll object that I believe 13:41:09 9 that recording was illegally recorded. We're going 13:41:15 10 to be making a motion in limine. 13:41:18 11 So, subject to that, you can ask the 13:41:21 12 questions that you like. 13:41:24 13 MS. WOLFF: Actually, I don't need the 13:41:27 14 content of the video. I don't think that it's 13:41:29 15 necessary. 13:41:36 16 MR. FIELDS: Is that video or audio? 13:41:55 17 MS. WOLFF: There's no audio. 13:41:58 18 MR. FIELDS: This whole line of questioning 13:42:01 19 is subject to objection and that it's illegally 13:42:02 20 recorded. 13:42:05 21 (Discussion held off the record.) 13:42:12 22 13:42:12 23 13:45:06 24 MS. WOLFF: It was produced as bates 13:45:06 25 Plaintiff or It's PLTF 002027. 13:45:07</p> <p>Page 142</p>	<p>1 BY MS. WOLFF: 13:45:56 2 Q. Do you know if your brother has ever been 13:45:56 3 hazed? 13:45:59 4 A. I mean, I don't ever recall him being hazed. 13:45:59 5 Q. He never told you that he was hazed? 13:46:04 6 A. No, he has never told me. 13:46:06 7 Q. Do you agree that the group of surfers he's 13:46:13 8 talking about at Lunada Bay treat other guys who want 13:46:16 9 to surf there badly to see just how bad they want to 13:46:20 10 surf? 13:46:24 11 MR. FIELDS: Objection, that's vague and 13:46:24 12 ambiguous -- 13:46:24 13 THE WITNESS: I haven't seen them. 13:46:24 14 MR. FIELDS: Wait until I finish. 13:46:25 15 I'll say my objection, compound, vague, but 13:46:27 16 answer to the best of your understanding. 13:46:35 17 So, do the question again and I'll do my 13:46:41 18 objection and he will answer. 13:46:46 19 BY MS. WOLFF: 13:46:47 20 Q. Do you agree that the group of surfers at 13:46:48 21 Lunada Bay treat each other, I'm sorry, treat other 13:46:50 22 guys who want to surf there badly to see how much 13:46:54 23 they want to surf? 13:46:57 24 MR. FIELDS: Objection, vague, ambiguous, 13:46:58 25 compound. You can answer to the best of your 13:47:00</p> <p>Page 144</p>
<p>1 BY MS. WOLFF: 13:45:13 2 Q. Does that voice sound familiar to you? 13:45:13 3 A. Yeah. 13:45:15 4 Q. Who do you think that is? 13:45:15 5 A. My brother. 13:45:17 6 Q. Leo? 13:45:17 7 A. Yeah. 13:45:18 8 Q. You don't think that's Charlie? 13:45:19 9 A. No. 13:45:20 10 Q. And so Leo says, essentially, that everyone 13:45:21 11 gets the wrong vibe because that's the hazing. It's 13:45:26 12 like a fraternity. 13:45:28 13 Do you agree that the group of surfers at 13:45:29 14 Lunada Bay is like a fraternity? 13:45:32 15 A. I don't think that it's like a fraternity. 13:45:35 16 I've never been to a fraternity. I don't think that 13:45:38 17 it's like a fraternity. I've heard how fraternities 13:45:38 18 are. 13:45:45 19 Q. And do you disagree with him that there's 13:45:45 20 hazing? 13:45:48 21 A. I've never had hazing. I've never seen 13:45:48 22 anybody get hazed. It's kind of different how 13:45:52 23 people -- 13:45:54 24 MR. FIELDS: You've answered the question. 13:45:55 25 THE WITNESS: Yeah. 13:45:56</p> <p>Page 143</p>	<p>1 understanding. 13:47:02 2 THE WITNESS: I personally have not seen 13:47:03 3 that. 13:47:04 4 BY MS. WOLFF: 13:47:05 5 Q. So, you disagree with your brother that 13:47:05 6 there's any hazing going on at Lunada Bay? 13:47:08 7 A. Yes. 13:47:10 8 Q. Have you ever heard of anyone having to drink 13:47:10 9 urine in order to be accepted by the surfers at 13:47:14 10 Lunada Bay? 13:47:18 11 A. No. 13:47:18 12 Q. He also said that they, meaning, this 13:47:19 13 fraternity of surfers he's referencing, will make you 13:47:25 14 sit in the sun or walk up to the liquor store to get 13:47:28 15 ice or a slurpee, but it's out of respect and teaches 13:47:31 16 you to be a man. 13:47:34 17 Have you ever been told by guys to sit in the 13:47:36 18 sun by guys that surf at Lunada Bay? 13:47:40 19 A. No. 13:47:41 20 Q. Have you ever heard of anyone being told to 13:47:41 21 sit in the sun? 13:47:44 22 A. No. 13:47:45 23 Q. And I can't remember if I asked you this 13:47:45 24 earlier, have you ever been asked to get a slurpee 13:47:48 25 for anyone -- 13:47:51</p> <p>Page 145</p>

37 (Pages 142 to 145)

N. F.  
July 6, 2017



## **Exhibit 20**

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA  
3 WESTERN DIVISION  
4

5 CORY SPENCER, an individual; DIANA )  
6 MILENA REED, an individual; and )  
7 COASTAL PROTECTION RANGERS, INC., a )  
California non-profit public benefit )  
corporation, ) Case No.  
8 ) 2:16-cv-02129-SJO-RAO  
Plaintiffs, )  
9 vs. )  
10 LUNADA BAY BOYS, et al., )  
Defendants. )  
11 )  
12  
13  
14  
15  
16

17 VIDEOTAPED DEPOSITION OF DIANA MILENA REED  
18 Santa Monica, California  
19 Monday, October 24, 2016  
20  
21  
22  
23

24 REPORTED BY:  
Jimmy S. Rodriguez  
25 CSR No. 13464

1 if I had hesitance or not. I wasn't surfing so 11:55

2 there wasn't as much pressure on me. 11:55

3 BY MS. HEWITT: 11:55

4 Q Before you went to Lunada Bay on 11:55

5 January 6th, had you heard about Lunada Bay? 11:55

6 A I have heard about Lunada Bay from the 11:56

7 surf community, yes. 11:56

8 Q What had you heard? 11:56

9 A I heard that it's the best and one of the 11:56

10 only true deep water big wave spots in 11:56

11 Southern California. 11:56

12 Q And when you were there on January 6th, 11:56

13 how long were you there? 11:56

14 A It's hard for me to know approximately how 11:56

15 long we were there. But I think from the time that 11:56

16 we pulled up to the time that we left, I mean, it 11:56

17 was a span of at least two hours I would think. 11:56

18 Q Okay. Is there anything specifically you 11:56

19 recall about that visit to Lunada Bay? 11:56

20 A Yeah, what specifically would you like to 11:56

21 know? 11:56

22 Q Did you come into contact with anybody who 11:56

23 harassed you that day or intimidated you? 11:56

24 A It was raining that day and very muddy and 11:56

25 there wasn't anyone out that day. 11:57

1 Q So you didn't come in contact with anybody 11:57  
2 who harassed or intimidated you that day; is that 11:57  
3 correct? 11:57

4 A No, because there was no individuals out 11:57  
5 that I can remember. 11:57

6 Q So yes, that's correct? 11:57

7 MR. FRANKLIN: Asked and answered. 11:57

8 THE WITNESS: It's correct that me -- that 11:57  
9 I was one of the only people out there along with my 11:57  
10 friend who was photographing, and there weren't 11:57  
11 people there to talk to us so we were not harassed 11:57  
12 since we were the only people there that I could 11:57  
13 see. 11:57

14 BY MS. HEWITT: 11:57

15 Q Okay. And same question for intimidation? 11:57

16 A Yes. 11:57

17 Q And did you experience any vandalism that 11:57  
18 day? 11:57

19 A No, we did not. 11:57

20 Q All right. Now, during that visit did you 11:57  
21 talk with anybody who was present about any negative 11:57  
22 experience at Lunada Bay? 11:57

23 MR. FRANKLIN: Vague and ambiguous. 11:57

24 THE WITNESS: I don't remember if I 11:57  
25 specifically discussed that. 11:58

1           there together.

12:10

2 Q And after you heard maybe Cory's 12:10

3 conversation with somebody else, did it cause you 12:10

4 any concern? 12:10

5 A I'm sure it did. 12:10

6 Q As you sit here today, do you remember any 12:10

7 particular concern it caused you? 12:10

8	A	I don't remember specifically, no.	12:10
---	---	------------------------------------	-------

9 Q All right. Once you went to look at the 12:11

```
10      conditions --
```

11 A Sorry if I'm a little bit distracted. My 12:11

12 baby is kicking like crazy now. 12:11

13	Q	Sure.	12:11
----	---	-------	-------

14 When you went to go look at the 12:11

15 conditions, did you speak to anybody, anybody talk 12:11

16 to you? 12:11

17 A Yeah, I mean, like I said, I had some 12:11

18           conversations with some people on the bluff, but I           12:11

19 kind of, I guess, get in the zone when I'm watching 12:11

20 the surf, and I was just trying to really watch and 12:11

21 gain an understanding of the conditions that day. 12:11

22 And I did have conversations with people, 12:11

23 it's just it's hard for me to remember at the moment 12:11

24 specifically what was said. 12:11

25 Q So at some point did you experience any 12:11

1 harassment or intimidation when you were there on 12:11

2 January 29th? 12:11

3 A Yes. 12:11

4 Q What was that? 12:11

5 A From what I recall when, you know, from 12:11

6 the moment that we arrived we were experiencing 12:12

7 harassment. 12:12

8 Q Okay. Can you describe what the 12:12

9 harassment was? 12:12

10 A I remember that people were circling 12:12

11 around the car when we parked and, you know, some 12:12

12 people yelled at us and said that we're kooks. And 12:12

13 there were other people, other bay boys on the bluff 12:12

14 that were looking at us and there were people 12:12

15 recording us. 12:12

16 So the situation there seemed very tense. 12:12

17 Q Let's start with the people circling your 12:12

18 car, how many people circled your car? 12:12

19 A I don't remember how many people, but I 12:12

20 remember, you know -- I remember a car driving by, I 12:12

21 remember a car driving by and having people yell at 12:12

22 us also. 12:12

23 Q Okay. How many cars drove by and yelled 12:12

24 things at you? 12:13

25 A I remember one car that yelled things at 12:13

Page 120

## **Exhibit 21**



1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
3  
4

5 CORY SPENCER, an individual; )  
6 DIANA MILENA REED, an )  
7 individual; and COASTAL )  
8 PROTECTION RANGERS, INC., a )  
9 California non-profit public )  
10 benefit corporation, )

11 Plaintiffs, )

12 vs. )

13 No. 2:16-cv-02129-SJO-  
14 RAO

15 LUNADA BAY BOYS; THE )  
16 INDIVIDUAL MEMBERS OF THE )  
17 LUNADA BAY BOYS, et al., )

18 Defendants. )  
19 )  
20 )

21 (ABBREVIATED CAPTION.)  
22  
23

24 DEPOSITION OF MARK HOWARD SLATTEN  
25 Irvine, California  
Thursday, August 24, 2017  
Volume I

Reported by:  
JEANNE KELLY  
CSR No. 3401  
Job No. 2686697

PAGES 1 - 185

1 Q And you said certainly CPR members have  
2 experienced physical harm both in the water and on the  
3 rocks. Who are you referring to?

4 MR. FRANKLIN: Vague, ambiguous.

5 THE WITNESS: Well, specifically Ms. Reed was  
6 trapped in the fort, filmed, threatened physically and  
7 abused verbally. And then one of the brothers, I can't  
8 remember their names -- names are difficult for me  
9 sometimes -- who was dropped in on one time and had his  
10 wrist cut, or at least two cases I read. I wasn't  
11 there, so I can only go by the depositions. And I can't  
12 know everything, just what people tell me.

13 BY MS. HEWITT:

14 Q Okay. I just wanted to know what CPR members you  
15 were referring to. So one is Ms. Reed?

16 A Yes.

17 Q And you said one of the two brothers?

18 MR. FRANKLIN: We're just going to object to the  
19 extent of the question. For a 30(b)(6) deposition, it's  
20 an inappropriate question.

21 You can answer to the best of your knowledge.

22 But you're asking what amounts to a contention  
23 interrogatory. If you're asking all facts to support,  
24 that's a contention interrogatory, wholly inappropriate  
25 for a 30(b)(6) deposition.

1           You may respond.

2           THE WITNESS: Diana and Cory are the two I know  
3 best.

4 BY MS. HEWITT:

5       Q    Okay. Sitting here today as the person most  
6 knowledgeable from CPR, are you aware of any of your  
7 other members who have suffered any physical harassment  
8 at Lunada Bay?

9           MR. FRANKLIN: Same objection, it's an  
10 inappropriate contention interrogatory during a 30(b)(6)  
11 deposition. It's inappropriate for any deposition.

12          THE WITNESS: I get names -- they all blend  
13 together, so I don't -- I can't be specific on names.

14 BY MS. HEWITT:

15       Q    Are you aware of anybody at that time? You don't  
16 have to necessarily know their name. Right now I want  
17 to know if you're aware of anybody.

18       A    Yes.

19       Q    Okay. And understanding you don't remember the  
20 person's name, can you describe to me what it is you're  
21 aware of as far as any harassment they suffered at  
22 Lunada Bay?

23          MR. FRANKLIN: It's the same objection. It's an  
24 inappropriate question in terms of it's a contention  
25 interrogatory during a 30(b)(6) deposition.

1 THE WITNESS: The two -- certainly, the one I  
2 remember best is two brothers who attempted to surf.  
3 They actually got down to the rocks and into the water,  
4 and they were harassed verbally and actually physically  
5 kept from catching waves. And then when one did catch a  
6 wave, he was dropped in on and hurt.

7 BY MS. HEWITT:

8 Q And have you talked to either of these two  
9 brothers?

10 A No.

11 Q Okay. And do you know if either of these two  
12 brothers are one of the 60-plus signatures that were  
13 obtained by the CPR?

14 A I don't know.

15 Q Okay. So other than undertaking the current  
16 litigation that we're here about today, what other  
17 actions or measures has CPR undertaken to protect,  
18 preserve or enhance Lunada Bay?

19 MR. FRANKLIN: Objection to the extent it's an  
20 inappropriate contention interrogatory.

21 You can answer.

22 THE WITNESS: We've already discussed the Tiger  
23 Lady, Sideman. The other project we're considering is  
24 in the city of Oxnard.

25 BY MS. HEWITT:

1 MR. FRANKLIN: Objection. Vague and ambiguous,  
2 goes beyond the scope of the deposition notice. To the  
3 extent you're asking a contention interrogatory during a  
4 30(b)(6) deposition, it's improper.

5 You can respond.

6 THE WITNESS: I testified earlier about the  
7 Siderman site, which we call the Tiger Lady in the  
8 Malibu area, and we're currently considering a site --  
9 38-acre site in Oxnard, California.

10 BY MS. SERRATO:

11 Q As a PMQ for CPR, you state that members are  
12 denied access to Lunada Bay; is that correct?

13 A I didn't hear all of that. I'm hard of hearing.  
14 I'm sorry.

15 Q As a PMQ for CPR, you state that members of CPR  
16 were denied access to Lunada Bay; is that correct?

17 A Technically, the people who are profiled and the  
18 cars that were ticketed and towed, et cetera, yes. As  
19 far as members who had access to the beach but were  
20 harassed, no.

21 Q And who were -- these people that were denied  
22 access, who was denying them access, to your knowledge?

23 MR. FRANKLIN: Vague, ambiguous. To the extent  
24 it's a contention interrogatory under a 30(b)(6)  
25 deposition, we object as it being inappropriate. It

1 also goes beyond the deposition notice.

2 You can respond.

3 THE WITNESS: I don't know specific individuals,  
4 but it was by the Palos Verdes Estates police.

5 BY MS. SERRATO:

6 Q Is that it?

7 MR. FRANKLIN: Vague and ambiguous. Same  
8 objections.

9 BY MS. SERRATO:

10 Q Is that it?

11 A Yes.

12 MR. FRANKLIN: Same objection. Move to strike.

13 BY MS. SERRATO:

14 Q And earlier I believe you were asked about the  
15 term Bay Boys that you had used in your prior testimony.  
16 Just to clarify, as a PMQ for CPR, you can't distinguish  
17 what a Bay Boy is from any other beach goer; is that  
18 correct?

19 MR. FRANKLIN: Objection. Argumentative,  
20 misstates prior testimony. To the extent that is a  
21 contention interrogatory to a 30(b)(6) deponent, it's  
22 also inappropriate.

23 You can respond.

24 THE WITNESS: Yes, you can, based on behavior.

25 BY MS. SERRATO:

## **Exhibit 22**



1 Alison K. Hurley, State Bar No. 234042  
ahurley@bremerwhyte.com  
2 Courtney M. Serrato, State Bar No. 311141  
cserrato@bremerwhyte.com  
3 BREMER WHYTE BROWN & O'MEARA LLP  
20320 S.W. Birch Street  
4 Second Floor  
Newport Beach, California 92660  
5 Telephone: (949) 221-1000  
Facsimile: (949) 221-1001

6 Attorneys for Defendants,  
7 FRANK FERRARA and CHARLIE FERRARA

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

10  
11 CORY SPENCER, an individual; DIANA  
12 MILENA REED, an individual; and  
COASTAL PROTECTION RANGERS,  
13 INC., a California non-profit public  
benefit corporation,

14 Plaintiff,

15 vs.

16 LUNADA BAY BOYS; THE  
INDIVIDUAL MEMBERS OF THE  
17 LUNADA BAY BOYS, including but not  
limited to SANG LEE, BRANT  
18 BLAKEMAN, ALAN JOHNSTON AKA  
JALIAN JOHNSTON, MICHAEL RAE  
19 PAPAYANS, ANGELO FERRARA,  
FRANK FERRARA, CHARLIE  
20 FERRARA; CITY OF PALOS VERDES  
ESTATES; CHIEF OF POLICE JEFF  
21 KEPLEY, in his representative capacity;  
and DOES 1-10,

22 Defendants.  
23

Case No. 2:16-cv-2129

Judge: Hon. S. James Otero  
Crm: 10C

Magistrate Judge:  
Hon. Rozella A. Oliver

**FRANK FERRARA'S  
REDACTION INDEX AND  
PRIVILEGE LOG**

Complaint Filed: March 29, 2016  
Trial Date: December 12, 2017

24  
25  
26 Defendant Frank Ferrara hereby submits the following Redaction Index and  
27 Privilege Log for the document production bates labeled FERRARA10250 –  
28 FERRARA10966:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BATES NUMBER	REDACTION DESCRIPTION/OBJECTIONS
FERRARA10253	Attorney Client Privileged Communication /Unresponsive to the Original Requests
FERRARA10303-FERRARA10332	Attorney Client Privileged Communication/Unresponsive to the Original Requests
FERRARA10628	Attorney Client Privileged Communication/Unresponsive to the Original Requests
FERRARA10629	Attorney Client Privileged Communication/Unresponsive to the Original Requests

Dated: September 21, 2017

BREMER WHYTE BROWN & O'MEARA  
LLP

By:



Alison K. Hurley  
Courtney M. Serrato  
Attorneys for Defendants  
FRANK FERRARA and CHARLIE  
FERRARA

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 20320 S.W. Birch Street, Second Floor, Newport Beach, California 92660.

On September 21, 2017, I served the within document(s) described as:

FRANK FERRARA'S REDACTION INDEX AND PRIVILEGE LOG

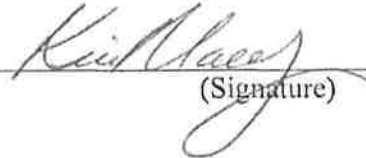
on the interested parties in this action as stated on the attached mailing list.

☒ (BY ELECTRONIC SERVICE) Complying with Code of Civil Procedure § 1010, I caused such document(s) to be Electronically Filed and Served through the \_ for the above-entitled case. Upon completion of transmission of said document(s), a filing receipt is issued to the filing party acknowledging receipt, filing and service by 's system. A copy of the filing receipt page will be maintained with the original document(s) in our office.

Executed on September 21, 2017, at Newport Beach, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Kimberly Macey  
(Type or print name)

  
(Signature)

Cory Spencer v. Lunada Bay Boys et al.,

Case No. 2:16-cv-2129-SJO

BWB&O CLIENT: Frank and Charlie Ferrara  
BWB&O FILE NO.: 1178.176

SERVICE LIST

<p>Samantha Wolff, Esq. <b>HANSON BRIDGETT</b> 425 Market Street 26th Floor San Francisco, CA 94105 (415) 777-3200 (415) 541-9366 Fax Attorneys For <b>PLAINTIFF</b></p> <p><a href="mailto:swolff@hansonbridgett.com">swolff@hansonbridgett.com</a> <a href="mailto:kfranklin@hansonbridgett.com">kfranklin@hansonbridgett.com</a></p>	<p>Tyson M. Shower, Esq. <b>HANSON BRIDGETT</b> 500 Capitol Mall Suite 1500 Sacramento, CA 95814 (916) 442-3333 (916) 442-2348 Fax Attorneys For <b>PLAINTIFFS</b></p> <p><a href="mailto:tshower@hansonbridgett.com">tshower@hansonbridgett.com</a></p>	<p>Victor Otten, Esq. <b>OTTEN LAW, PC</b> 3620 Pacific Coast Highway Suite 100 Torrance, CA 90505 (310) 378-8533 (310) 347-4225 Fax Attorneys For <b>PLAINTIFFS</b></p> <p><a href="mailto:vic@ottenlawpc.com">vic@ottenlawpc.com</a></p>
<p>Jacob Song, Esq. <b>KUTAK ROCK LLP</b> 5 Park Plaza Suite 1500 Irvine, CA 92614 (949) 417-0999 (949) 417-5639 Attorney For <b>CITY OF PALOS VERDES ESTATES and JEFF KEPLEY, in his representative capacity, serves as the Chief of Police Department of Defendant City of Palos Verdes Estates.</b></p> <p><a href="mailto:jacob.song@kutakrock.com">jacob.song@kutakrock.com</a></p>	<p>J. Patrick Carey, Esq. <b>LAW OFFICE OF PATRICK CAREY</b> 1230 Rosecrans Avenue Suite 270 Manhattan Beach, CA 90266 (310) 526-2237 (310) 356-3671 Fax Attorney For <b>ALAN JOHNSTON individual member of LUNADA BAY BOYS aka JALIAN JOHNSTON</b></p> <p><a href="mailto:pat@patcareylaw.com">pat@patcareylaw.com</a></p>	<p>Aaron G. Miller, Esq. <b>THE PHILIPS FIRM</b> 800 Wilshire Boulevard Suite 1550 Los Angeles, CA 90017 (213) 244-9913 (213) 244-9915 Fax Attorneys For <b>ANGELO FERRARA</b></p> <p><a href="mailto:amiller@thephillipsfirm.com">amiller@thephillipsfirm.com</a></p>
<p>Mark Fields, Esq. <b>LAW OFFICES OF MARK C. FIELDS</b> 333 So. Hope Street Suite 3500 Los Angeles, CA 90071 (213) 617-5225 (213) 629-2420 Fax Attorney For <b>ANGELO FERRARA an individual member of LUNADA BAY BOYS and N.F. an individual member of LUNADA BAY BOYS</b></p> <p><a href="mailto:fields@markfieldslaw.com">fields@markfieldslaw.com</a></p>	<p>Peter R. Haven, Esq. <b>HAVEN LAW</b> 1230 Rosecrans Avenue Suite 300 Manhattan Beach, CA 90266 (310) 272-5353 (213) 477-2137 Fax Attorneys For <b>MICHAEL RAY PAPAYANS</b></p> <p><a href="mailto:peter@havenlaw.com">peter@havenlaw.com</a></p>	<p>Dana Alden Fox, Esq. <b>LEWIS BRISBOIS BISGAARD &amp; SMITH, LLP</b> 633 W. 5<sup>th</sup> Street Suite 4000 Los Angeles, CA 90071 (213) 580-3858 (213) 250-7900 Fax Attorneys For <b>SANG LEE</b></p> <p><a href="mailto:Dana.Fox@lewisbrisbois.com">Dana.Fox@lewisbrisbois.com</a></p>



**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 20320 S.W. Birch Street, Second Floor, Newport Beach, California 92660.

On October 5, 2017, I served the within document(s) described as:

DECLARATION OF ALISON K. HURLEY IN SUPPORT OF FRANK FERRARA'S AND CHARLIE FERRARA'S OPPOSITION TO PLAINTIFFS' MOTION FOR EVIDENTIARY SANCTIONS

on the interested parties in this action as stated on the attached mailing list.


☒ (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth on the attached mailing list. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this Firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Newport Beach, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ (BY ELECTRONIC SERVICE) Complying with Code of Civil Procedure § 1010, I caused such document(s) to be Electronically Filed and Served through the \_ for the above-entitled case. Upon completion of transmission of said document(s), a filing receipt is issued to the filing party acknowledging receipt, filing and service by 's system. A copy of the filing receipt page will be maintained with the original document(s) in our office.

Executed on October 5, 2017, at Newport Beach, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Kimberly Macey  
(Type or print name)

  
(Signature)

**Cory Spencer v. Lunada Bay Boys et al.,**

**Case No. 2:16-cv-2129-SJO**

**BWB&O CLIENT: Frank and Charlie Ferrara**  
**BWB&O FILE NO.: 1178.176**

**SERVICE LIST**

<p>Samantha Wolff, Esq.  <b>HANSON BRIDGETT</b>  425 Market Street  26th Floor  San Francisco, CA 94105  (415) 777-3200  (415) 541-9366 Fax  Attorneys For <b>PLAINTIFF</b></p> <p><a href="mailto:swolff@hansonbridgett.com">swolff@hansonbridgett.com</a>  <a href="mailto:kfranklin@hansonbridgett.com">kfranklin@hansonbridgett.com</a></p>	<p>Tyson M. Shower, Esq.  <b>HANSON BRIDGETT</b>  500 Capitol Mall  Suite 1500  Sacramento, CA 95814  (916) 442-3333  (916) 442-2348 Fax  Attorneys For <b>PLAINTIFFS</b></p> <p><a href="mailto:tshower@hansonbridgett.com">tshower@hansonbridgett.com</a></p>	<p>Victor Otten, Esq.  <b>OTTEN LAW, PC</b>  3620 Pacific Coast Highway  Suite 100  Torrance, CA 90505  (310) 378-8533  (310) 347-4225 Fax  Attorneys For <b>PLAINTIFFS</b></p> <p><a href="mailto:vic@ottenlawpc.com">vic@ottenlawpc.com</a></p>
<p>Jacob Song, Esq.  <b>KUTAK ROCK LLP</b>  5 Park Plaza  Suite 1500  Irvine, CA 92614  (949) 417-0999  (949) 417-5639  Attorney For <b>CITY OF PALOS VERDES ESTATES and JEFF KEPLEY, in his representative capacity, serves as the Chief of Police Department of Defendant City of Palos Verdes Estates.</b></p> <p><a href="mailto:jacob.song@kutakrock.com">jacob.song@kutakrock.com</a></p>	<p>J. Patrick Carey, Esq.  <b>LAW OFFICE OF PATRICK CAREY</b>  1230 Rosecrans Avenue  Suite 270  Manhattan Beach, CA 90266  (310) 526-2237  (310) 356-3671 Fax  Attorney For <b>ALAN JOHNSTON individual member of LUNADA BAY BOYS aka JALIAN JOHNSTON</b></p> <p><a href="mailto:pat@patcareylaw.com">pat@patcareylaw.com</a></p>	<p>Aaron G. Miller, Esq.  <b>THE PHILIPS FIRM</b>  800 Wilshire Boulevard  Suite 1550  Los Angeles, CA 90017  (213) 244-9913  (213) 244-9915 Fax  Attorneys For <b>ANGELO FERRARA</b></p> <p><a href="mailto:amiller@thePhillipsfirm.com">amiller@thePhillipsfirm.com</a></p>
<p>Mark Fields, Esq.  <b>LAW OFFICES OF MARK C. FIELDS</b>  333 So. Hope Street  Suite 3500  Los Angeles, CA 90071  (213) 617-5225  (213) 629-2420 Fax  Attorney For <b>ANGELO FERRARA an individual member of LUNADA BAY BOYS and N.F. an individual member of LUNADA BAY BOYS</b></p> <p><a href="mailto:fields@markfieldslaw.com">fields@markfieldslaw.com</a></p>	<p>Peter R. Haven, Esq.  <b>HAVEN LAW</b>  1230 Rosecrans Avenue  Suite 300  Manhattan Beach, CA 90266  (310) 272-5353  (213) 477-2137 Fax  Attorneys For <b>MICHAEL RAY PAPAYANS</b></p> <p><a href="mailto:peter@havenlaw.com">peter@havenlaw.com</a></p>	<p>Dana Alden Fox, Esq.  <b>LEWIS BRISBOIS BISGAARD &amp; SMITH, LLP</b>  633 W. 5<sup>th</sup> Street  Suite 4000  Los Angeles, CA 90071  (213) 580-3858  (213) 250-7900 Fax  Attorneys For <b>SANG LEE</b></p> <p><a href="mailto:Dana.Fox@lewisbrisbois.com">Dana.Fox@lewisbrisbois.com</a></p>